

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE - S/S East Joppa Road,
across from its intersection w/ * ZONING COMMISSIONER
Magledt Road (3321-3327 E. Joppa Road)
11th Election District * OF BALTIMORE COUNTY
6th Councilmanic District *
East Joppa Road Partnership I * Case No. 96-172-SPHA
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Hearing and Variance for that property known as 3321-3327 East Joppa Road, located in the vicinity of Burton Avenue and Magledt Road in Perry Hall. The Petitions were filed by the owner of the property, East Joppa Road Partnership I, by Felix Gutierrez, General Partner, and the Contract Purchaser, Heritage Properties, Inc., by David G. Rhodes, President, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek approval of parking in a D.R. 5.5 zone as an accessory use to an immediately adjacent commercial building located in a B.L. Zone, pursuant to Section 409.8.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), and variance relief from Section 232.2 of the B.C.Z.R. to permit setbacks of as close as 7 feet in lieu of the required 10-foot side yard or 20-foot rear yard setbacks required, and from Section 1B01.1.B.1.e(2) of the B.C.Z.R. to permit a Residential Transition Area (RTA) setback and buffer of 10 feet each in lieu of the required 75 feet and 50 feet, respectively. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were David Rhodes and Jack Cannella with Heritage Properties, Inc., Contract Purchas-

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Date

By

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ers of the subject property, John Tansey and Phil Golden with Deerfield Healthcare Corporation, the proposed tenant of the site, Tom Russ with Spotts, Stevens and McCoy, Inc., site location consultant, Mickey Cornelius, Traffic Engineering expert with The Traffic Group, Inc., and Robert A. Hoffman, Esquire, attorney for the Petitioner. Appearing as an interested party was Nick Jacobson, a nearby resident.

Testimony and evidence offered revealed that the subject property consists of a gross area of 1.3198 acres, more or less, of which 0.6870 acres are zoned B.L., and 0.6328 acres are zoned D.R. 5.5. The property is located adjacent to East Joppa Road near its intersection with Magledt Road and abuts a future road to be known as Dunfield Road which will abut the west side of the subject property when completed. The property is presently improved with several buildings which are used in conjunction with a sign business and a landscaping operation. The Petitioner proposes to raze the existing structures and construct a 14,000 sq.ft. building on the B.L. zoned portion of the site for a proposed child and adult day care facility. Parking to accommodate the proposed use will also be provided; however, the proposed parking area will be located primarily on the D.R.5.5 zoned portion of the site. Thus, the special hearing relief is necessary.

As noted above, the site is presently utilized by a sign business (Giovanni's Signs), and a landscaping operation. These uses will be discontinued when the proposed project moves forward. The Petitioner proposes extensive landscaping on the subject site, particularly on that portion of the property zoned D.R. 5.5. A proposed landscape plan was submitted into evidence as Petitioner's Exhibit 2, which shows the proposed buffering on the east side of the lot, adjacent to the nearest residence. The location of this residence immediately adjacent to the

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Date 12/21/95
By BP

12/21/95

proposed use necessitates the request for variance from RTA requirements. As shown on the site plan, strict adherence to those regulations would significantly limit parking and render a large portion of the site undevelopable.

Based on the testimony and evidence presented, I am persuaded that the requested relief should be granted. As to the special hearing request, the testimony was uncontradicted that the proposed use and parking arrangement will not be detrimental to the health, safety and general welfare of the surrounding locale. I am persuaded that the Petitioner has satisfied the tests set forth in Section 502.1 of the B.C.Z.R. The variance relief should also be granted. The uniqueness of this property is its split zoning and configuration. The site design is appropriate in that the building will be constructed entirely on the B.L. zoned portion of the property, immediately adjacent to the proposed intersection of future Dunfield Road and East Joppa Road. Adequate parking must obviously be provided to serve the contemplated use and the variance relief from setback and RTA requirements is appropriate. I am persuaded that the Petitioner has complied with Section 307 of the B.C.Z.R.

Pursuant to the Zoning Plans Advisory Committee (ZAC) comments, I will condition the approval granted herein by requiring the Petitioner to landscape the site in a manner substantially similar to the landscaping set forth on Petitioner's Exhibit 2. As noted above, the landscaping shown thereon primarily focused on buffering the proposed use and parking area from the adjoining residential uses. This landscaping plan is entirely appropriate. Also, the plan shows a relocation of the proposed driveway access to the parking area. Counsel for the Petitioner indicated that this relocation had not been approved by the appropriate Baltimore County

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Date

By

reviewing agencies. Therefore, relief granted herein shall be conditioned upon the Petitioner obtaining approval of the driveway's location from the appropriate County agencies.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of December, 1995 that the Petition for Special Hearing seeking approval of parking in a D.R. 5.5 zone as an accessory use to an immediately adjacent commercial building located in a B.L. Zone, pursuant to Section 409.8.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), and in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 232.2 of the B.C.Z.R. to permit setbacks of as close as 7 feet in lieu of the required 10-foot side yard or 20-foot rear yard setbacks required, and from Section 1B01.1.B.1.e(2) of the B.C.Z.R. to permit a Residential Transition Area (RTA) setback and buffer of 10 feet each in lieu of the required 75 feet and 50 feet, respectively, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner shall landscape the subject site in accordance with the landscaping plan submitted into evidence as Petitioner's Exhibit 2.

12/21/95
[Signature]

3) Prior to the issuance of any permits, the Petitioner shall obtain approval from the Department of Public Works and any other appropriate agency as to the relocation of the driveway access to the subject site.

4) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMDIT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date 12/21/95
By [Signature]

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Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

December 21, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
S/S East Joppa Road, across from its intersection w/Magledt Road
(3321-3327 E. Joppa Road)
11th Election District - 6th Councilmanic District
East Joppa Road Partnership I - Petitioner
Case No. 96-172-SPHA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. David G. Rhodes, President, Heritage Properties, Inc.
515 Fairmount Avenue, Towson, Md. 21286

Mr. Felix Gutierrez, General Partner, East Joppa Road Partnership I
1016 Brookwood Drive, Mechanicsburg, Pa. 17055

Mr. Nick Jacobson
1 Baratra Court, #103, Timonium, Md. 21093

People's Counsel; Case File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 3321 - 3327 Joppa Road

96-172-SRHA

which is presently zoned BL/DR5.5

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Parking in a DR5.5 Zone as an accessory use to an immediately adjacent commercial building located in a BL Zone in accordance with Section 409.8.B2 of the B.C.Z.R.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

David G. Rhodes, President

(Type or Print Name)

Signature

Heritage Properties, Inc.

515 Fairmount Avenue

Address

Towson, Maryland 21286

City

Work Phone - 494-8950

State

Zipcode

Home Phone - 391-5246

Attorney for Petitioner

Rob Hoffman, Esquire

(Type or Print Name)

Signature

Venable, Baetjer & Howard

210 Allegheny Ave. 494-6200

Address

Phone No.

Towson MD 21204

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

Felix Gutierrez, General Partner

(Type or Print Name)

Attached

Signature

East Joppa Road Partnership I

(Type or Print Name)

Signature

(H)(717) 691-7548

1016 Brookwood Drive (W)(717) 763-2100

Address

Phone No

Mechanicsburg, Pennsylvania 17055

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

See Contract Purchaser

Name

N/A

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

2 hr

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: mjh

DATE 10/25/95

* requests early hearing

ORDER RECEIVED FOR FILING

Date

By



Revised 9/5/95



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3321 - 3327 Joppa Road

which is presently zoned BL/DR5.5

96-172-SHA

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) as close as

232.2 A 7-foot in lieu of 10-foot side yard setback or 20-foot rear yard setback
1B01.1.B.1e(2) To permit a RTA 10-foot setback and buffer in lieu of the required
75-foot setback and 50-foot buffer

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be determined at hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

David G. Rhodes, President

(Type or Print Name)

David G. Rhodes

Signature
Heritage Properties, Inc.

515 Fairmount Avenue

Address

Towson, Maryland 21286

City State Zipcode

(H) 391-5246 (W) 484-8950

Attorney for Petitioner

Rob Hoffman, Esquire

(Type or Print Name)

Rob Hoffman

Signature

Venable, Baetjer & Howard

210 Allegheny Avenue 494-6200

Address

Phone No

Towson MD

21204

City

State

Zipcode

Legal Owner(s)

Felix Gutierrez, General Partner

(Type or Print Name)

Attached

Signature

East Joppa Road Partnership I

(Type or Print Name)

Signature

(H) (717) 691-7548

1016 Brookwood Drive

(W) (717) 763-2100

Address

Phone No

Mechanicsburg, Pennsylvania 17055

City

State

Zipcode

Name, Address and phone number of representative to be contacted

See Contract Purchaser

Name

n/A

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

2 hr

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

mjh

DATE 10/25/95

* requests early hearing

ORDER RECEIVED FOR FILING

Date



Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

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PROPERTY DESCRIPTION

96-172-SPHA

BEGINNING FOR THE FIRST at a point where the south side of East Joppa Road, as shown on Baltimore County Bureau of Land Acquisition Plat Nos. RW 88-136-10 & 11, intersects the North 17 degrees 38 minutes East 1,711.25 foot line of the lands conveyed by James J. Shanklin and wife to Acquilla F. Burton by deed dated June 19, 1904, recorded in Baltimore County in Liber No. 276, folio 588, said point having a coordinate value of North 35,480.676 East 29,192.602, based on values established by the Bureau of Engineering for Baltimore County; thence running with and binding on the south side of said East Joppa Road

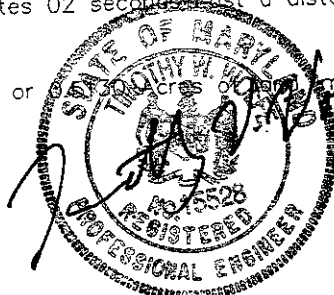
1. by a curve to the right with a radius of 3,784.68 feet, a arc length of 131.59 feet, and being subtended by a chord bearing and distance of North 86 degrees 55 minutes 17 seconds East a distance of 131.58 feet; thence continuing to run with and bind on the south side of East Joppa Road the two following bearings and distances
2. by a curve to the right with a radius of 3,784.68 feet, a arc length of 2.19 feet, and being subtended by a chord bearing and distance of North 87 degrees 56 minutes 03 seconds East a distance of 2 19 feet to a point of tangent; thence
3. North 87 degrees 57 minutes 02 seconds East a distance of 36.27 feet to a point on the second or South 19 deg. West 216.57 foot line of the lands conveyed by Henry Diegert and Clara M. Diegert to Ray E. Chatman and Laura V. Chatman by deed dated June 3, 1950 and recorded in Baltimore County in Liber No. 1850, folio 75; thence leaving the south side of East Joppa Road and running with and binding on said second line
4. South 10 degrees 44 minutes 02 seconds East a distance of 210 94 feet; thence
5. North 79 degrees 15 minutes 58 seconds West a distance of 50.00 feet; thence
6. South 10 degrees 44 minutes 02 seconds West a distance of 28.50 feet; thence
7. North 79 degrees 15 minutes 58 seconds West a distance of 115.28 feet to a point on the first mentioned North 17 deg. 38 min. East 1,711.25 foot line of the lands conveyed by said Shanklin to Burton; thence running wit and binding on said line
8. North 10 degrees 44 minutes 02 seconds East a distance of 199.85 feet to the place of beginning.

CONTAINING .35,144 square feet or 0.8068 Acres of land, more or less.

BEGINNING FOR THE SECOND at a point where the south side of East Joppa Road, as shown on Baltimore County Bureau of Land Acquisition Plat Nos. RW 88-136-10 & 11, intersects the second or South 19 deg. West 216.57 foot line of the lands conveyed by Henry Diegert and Clara M. Diegert to Ray E. Chatman and Laura V. Chatman by deed dated June 3, 1950, recorded in Baltimore County in Liber No. 1850, folio 75, said point having a coordinate value of North 35,489 119 East 29,362.427, based on values established by the Bureau of Engineering for Baltimore County; thence running with and binding on the south side of said East Joppa Road

1. North 87 degrees 57 minutes 02 seconds East a distance of 76.46 feet; thence
2. by a curve to the left with a radius of 11,494.05 feet, a arc length of 26.09 feet, and being subtended by a chord bearing and distance of North 87 degrees 53 minutes 08 seconds East a distance of 26.09 feet to a point on the forth line of the aforementioned conveyance; thence running with and binding reversely on said forth, third and second lines
3. South 10 degrees 44 minutes 02 seconds West a distance of 233.66 feet; thence
4. North 79 degrees 15 minutes 58 seconds West a distance of 100.00 feet; thence
5. North 10 degrees 44 minutes 02 seconds East a distance of 210.94 feet to the place of beginning.

CONTAINING 22,348 square feet or 0.512 Acres of land, more or less.



MICROFILMED

#177

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

94-172-SPMA

District: 11d

Date of Posting: 11/12/95

Posted for: Special Hearing & Decision

Petitioner: Henlaga Properties, Inc

Location of property: 3321-27 E. Towson Rd., 3/5

Location of Sign: Acres roadway on property being zoned

Remarks: _____

Posted by: W. H. H. H. H.

Signature

Date of return: 11/17/95

Number of Signs: 1

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #98-172-SPhA (Item 177)
3321 - 3327 Joppa Road
corner S/S E. Joppa Road and
E/S Magdalen Road
11th Election District
6th Councilmanic
Legal Owners:
East Joppa Road Partnership

Contract Purchaser:
Heritage Properties, Inc.
Hearing: Thursday, November
30, 1995 at 2:00 p.m. in Rm.
118, Old Courthouse.

Special Hearing: to approve
parking in a D.R.-S.S. zone as
an accessory use to an inn-
diately adjacent commercial
building located in a B.L. zone.
Variances: to permit as close
as 7-foot in lieu of 10-foot side
yard setback or 20-foot rear
yard setback; and to permit a
RTA, 10-foot setback and
buffer in lieu of the required
75-foot setback and 60-foot
buffer.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible, for
special accommodations
Please call 887-3353.
(2) For information concern-
ing the file and/or Hearing,
Please call 887-3331.

11/12 NOV 9 01994

CERTIFICATE OF PUBLICATION

TOWSON, MD., 11/10, 1995

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 11/9, 1995.

THE JEFFERSONIAN,

A. H. Enick
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

96-172-SPHA

DATE 10/25/95

ACCOUNT 01-615

Item: 177

By: MJK

AMOUNT \$ 570.00

RECEIVED FROM: Heritage Properties - 3321-3327 Joppa Rd

020 - Comm Variance - \$ 250.00

040 - Comm. Sp. Hing - \$ 250.00

080 - 2 signs - \$ 70.00

FOR: 570.00

03A0390326MICHRC

\$570.00

BA 0011:53AM10-24-95

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

VALIDATION OR SIGNATURE OF CASHIER
YELLOW - CUSTOMER

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

DATE 6/23/96

ACCOUNT 001-6150

AMOUNT \$ 40.00 (MJK)

RECEIVED FROM: 3321 E. Joppa Road LLC

#412 #710 - VERIFICATION

3321 E. Joppa Road

FOR: Joppa Center

03A91100062MICHRC

\$40.00

BA 0011:29AM05-24-96

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

VALIDATION OR SIGNATURE OF CASHIER
YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 177 Petitioner: Heritage Properties, Inc

Location: 3321-3327 Joppa Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: David G. Rnodes, President/Heritage Properties, Inc

ADDRESS: 515 Fairmount Avenue

Towson, MD 21286

PHONE NUMBER: (410) 494-8950

TO: PUTUXENT PUBLISHING COMPANY

November 9, 1995 Issue - Jeffersonian

Please forward billing to:

David G. Rhodes

Heritage Properties, Inc.

515 Fairmount Avenue

Towson MD 21286

494-8950

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in

Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-172-SPHA (Item 177)

3321 - 3327 Joppa Road

corner S/S E. Joppa Road and E/S Magdlet Road

11th Election District - 6th Councilmanic

Legal Owner: East Joppa Road Partnership I

Contract Purchaser: Heritage Properties, Inc.

Special Hearing to approve parking in a D.R.-5.5 zone as an accessory use to an immediately adjacent commercial building located in a B.L. zone.

Variance to permit as close as 7-foot in lieu of 10-foot side yard setback or 20-foot rear yard setback; and to permit a RTA 10-foot setback and buffer in lieu of the required 75-foot setback and 50-foot buffer.

HEARING: THURSDAY, NOVEMBER 30, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

RECEIVED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 6, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-172-SPHA (Item 177)
3321 - 3327 Joppa Road
corner S/S E. Joppa Road and E/S Magdlet Road
11th Election District - 6th Councilmanic
Legal Owner: East Joppa Road Partnership I
Contract Purchaser: Heritage Properties, Inc.

Special Hearing to approve parking in a D.R.-5.5 zone as an accessory use to an immediately adjacent commercial building located in a B.L. zone.
Variance to permit as close as 7-foot in lieu of 10-foot side yard setback or 20-foot rear yard setback; and to permit a RTA 10-foot setback and buffer in lieu of the required 75-foot setback and 50-foot buffer.

HEARING: THURSDAY, NOVEMBER 30, 1995 at 2:00 p.m.. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: East Joppa Road Partnership
Heritage Properties, Inc.
Robert A. Hoffman, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

11/30/95





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 24, 1995

Rob Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: Item No.: 177
Case No.: 96-172-SPHA
Petitioner: Felix Gutierrez

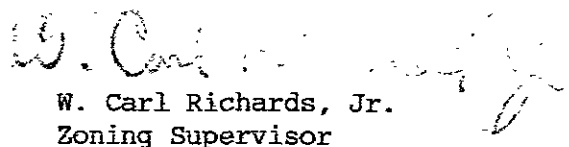
Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 25, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: November 15, 1995

FROM: Pat Keller, Director, OP

SUBJECT: 3321-3327 Joppa Road

INFORMATION:

Item Number: 177

Petitioner: Heritage Properties

Property Size: _____

Zoning: BL & DR-5.5

Requested Action: Special Hearing

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

On November 6, 1995, the Development Review Committee granted a limited exemption (B9). An attachment to the requested exemption dated October 24, 1995, stated, in part, the following: "The landscaping will be in accordance with the Landscape Manual, but screening will be densest between the parking lot and the existing dwelling. Both day care centers will have landscaped outdoor recreational areas." Staff supports the applicant's request based upon an agreement to provide outdoor recreational areas and enhanced landscaping (see attached memo of October 24, 1995).

Prepared by: _____

Jeffrey W. Long

Division Chief: _____

Carol L. Keene

PK/JL

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Nov. 16, 1995
Zoning Administration and Development Management

FROM: *Sub* Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for November 13, 1995
Item No. 177

The Development Plans Review Division has reviewed the subject zoning item. A schematic landscape plan should be submitted with this request.

RWB:sw

MICROFILM

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 11/07/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: EAST JOPPA ROAD PARTNERSHIP I

LOCATION: CORNER S/S EAST JOPPA RD. AND E/S MAGDLET RD.
(3321-3327 JOPPA RD.)

Item No.: 177

Zoning Agenda: SPECIAL HEARING

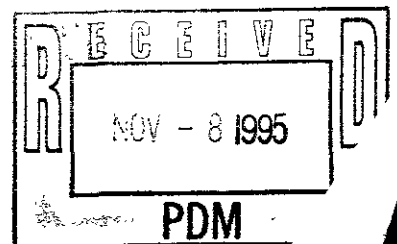
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881. MS-110FF





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

11-6-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 177 (MSK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
3321, 3327 Joppa Road, Corner S/S
E. Joppa Road and E/S Magledt Road
11th Election Dist., 6th Councilmanic

*
*
*

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Legal Owner: East Joppa Road Partnership I
Contract Purchaser: Heritage Properties, Inc.
Petitioners

CASE NO. 96-172-SPHA

*

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Room 47, Courthouse

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of November, 1995, a copy of the foregoing Entry of Appearance was mailed to Rob Hoffman, Esquire, Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN



5233-95-

10/25/95 MK
g
OK

October 23, 1995

Hand-Delivered

Mr. Arnold Jablon, Director
Permits Development Mgmt.
111 W. Chesapeake Avenue
Towson, MD 21204

Re: 3321-3327 E. Joppa Road, Baltimore, Maryland
Presently Zoned BL/DR 5.5.

Arnold:

The petition was filed
on 10/25/95. The
item # is 177.

Any questions, let me
know

Dear Mr. Jablon:

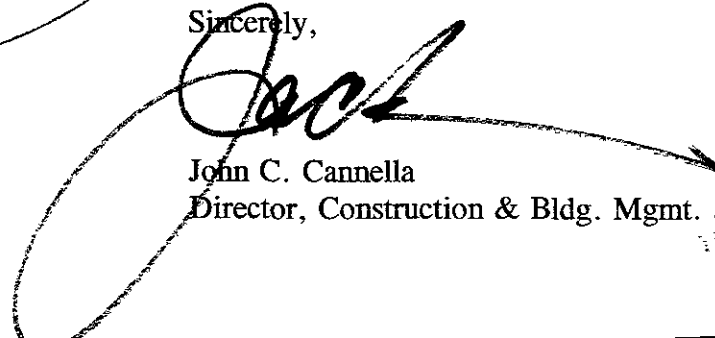
mitch

This letter is to request an expedited hearing date for the special hearing and variance petitions on file with the zoning office for the above-captioned project.

The project consists of a 14,000 square foot, single-story retail building to be completely occupied by both adult and child day care centers. The 1.3 acre site is split-zoned BL and DR 5.5. Since the accessory parking use is in the DR zone, a special hearing is required. A variance is requested for relief from some of the RTA requirements.

Because of delays in obtaining the owner's signature for the petitions, we have just filed the case. However, our contract to purchase the property requires us to settle by December 7, 1995 (copy of contract terms enclosed for your use and reference). Due to the tightness of our schedule, I would appreciate your help getting the hearing scheduled as close to the minimum 30 day period as possible. Thank you for your help.

Sincerely,

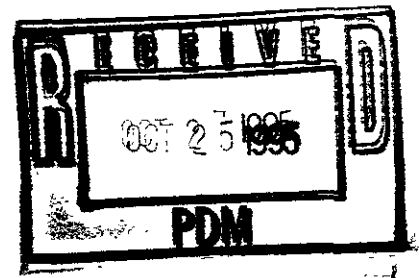


John C. Cannella
Director, Construction & Bldg. Mgmt.

JCC/ce
Encl.

cc: R. Huffman, Esq., Venable, Baetjer & Howard
D. Rhodes, Heritage Properties, Inc.

Heritage Properties, Inc.
515 Fairmount Avenue
Towson, Maryland 21286
(410) 494-8950



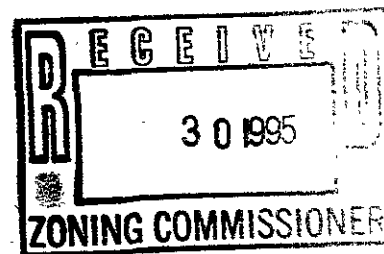


November 29, 1995

Mr. Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
400 Washington Avenue
Towson, MD 21204

Via Fax. No. 887 - 3468

Re: Heritage Properties Development
3321-27 E. Joppa Road
Baltimore, MD 21234



Dear Mr. Schmidt:

Senior Campus Living is the developer of the Oak Crest Village Retirement Community, which occupies an 85 acre tract adjacent to the west and south property lines of the subject property. We are writing to inform you that we support this proposed project to construct and operate a single story, 14,000 square foot adult and child day care facility. We see this project as a positive improvement to the community, both in its use and its appearance, based on our review of a conceptual building elevation.

We also support and recommend approval of the developer's request to provide parking in a residential zone, and we support approval of their requests for variances to RTA buffer and setback requirements, and a variance to allow a minimal encroachment into the side yard setback. We will also grant Heritage the right to complete some grading on our property in accordance with a revertible grading easement. These approvals are based on our review of a "Plat To Accompany Petition For Variance and Special Hearing of the lands of East Joppa Road Partnership I, #3321-27 Joppa Road", dated 10/24/95, prepared by Spotts, Stevens and McCoy, Inc. and on our review of a "first blush grading sketch" provided to us by the developer.

Mr. Lawrence E. Schmidt

November 29, 1995

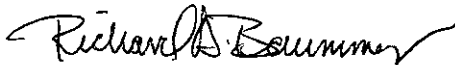
Page 2

We have discussed this matter with Mr. John Cannella, of Heritage Properties, Inc. and they have agreed to the following, which we respectfully request that you note in the record of the hearing:

1. Heritage Properties will submit a grading and landscaping plan for the southern portion of your project for approval by SCL prior to initiating grading operations;
2. The Final Landscape Plan for the project will include a minimum of 35 five foot tall pine trees to be planted on our property at the top of the slope; and
3. The pine trees so noted in 2 (above) shall be planted in the fall or spring planting season immediately following the completion of grading operations.
4. Any perimeter fencing disturbed during construction will be replaced with equal or better quality of fence.
5. Heritage Properties will maintain the Oak Crest Village secured perimeter prior to replacement of the fence by constructing a temporary fence at the limit of construction.

Thank you for your consideration of our position regarding this development.

Sincerely,



Richard A. Baummer, PE
Asst. Director, Civil Engineering

/rab

cc: Mr. Fred Walker
Mr. Jack Cannella
Mr. David Destino

96-3018 w4



5/22/96
TO COCK
TO: MTK - See ME
ucl 5/23/96
cashier

May 21, 1996

Hand-Delivered

Mr. Arnold Jablon, Director
Permits Development Mgmt.
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Joppa Center
3321 East Joppa Road
Baltimore, Maryland
Zoning Case No. 96-172 SPHA

Dear Mr. Jablon:

By way of this letter, I am requesting you confirm that the location of our Joppa Center building, as shown on the enclosed drawing titled "Foundation Location" dated May 6, 1996 and prepared by Spotts, Stevens & McCoy, Inc., meets the zoning order referenced above. I am also enclosing a check in the amount of \$40 for the customary fee for administrative reviews.

The foundation survey indicates the building is situated within the building setback lines everywhere except at the southeast corner, which is set back 5.1 feet from the property line. Page four of the Zoning Commissioner's Order included in the Zoning Decision Materials allows a setback as close as seven feet in lieu of the required 10-foot side yard setback. The discrepancy results from a mismeasurement at the time of the preparation of the zoning application.

Our engineers prepared the Plat to Accompany the Petition for Variance and Special Hearing and I filled out the various petitions. I have enclosed a reduced copy of the zoning plat (i.e., 1" = 60') and a copy of a portion of the original (i.e., 1" = 30') to illustrate the discrepancy. When I filled out the petition, I was measuring the encroachment and so measured from the setback line to the building rather than from the property line to the face of the building. At that scale, the line around the building is two feet thick in order to make it stand out and, hence, the discrepancy.

ENCLOSURE

Heritage Properties, Inc.
515 Fairmount Avenue
Towson, Maryland 21286
(410) 769-6100

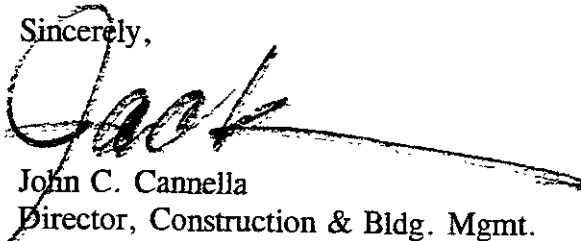
MAY 2 1996

Arnold Jablon, Director
Permits Development Management
May 21, 1996
Page 2

The proposed setback shown on the "Plat to Accompany the Petition . . ." is exactly what the Foundation Location drawing has confirmed. The Zoning Commissioner's Order simply followed my mismeasured, written request. The Order also relied upon the written statement of Oak Crest Village (enclosed), our neighbor abutting the property at this location, that they have no objection to the encroachment. Oak Crest's plan for that area of the property is for an overflow parking lot and we have agreed to provide a pine tree screen along our mutual property line. Although the community was represented at the hearing, there was no objection to our plan.

Please confirm our conformance with the Zoning Commissioner's Order by signing and returning one original of this letter.


Sincerely,



John C. Cannella
Director, Construction & Bldg. Mgmt.

JCC/ce
Encl.

This confirms the Foundation Location drawing on 3321-27 East Joppa Road prepared by Spotts, Stevens & McCoy dated May 6, 1996 is in conformance with Zoning Commissioner's Order for Case #96-172 SPHA. This confirmation is based upon the fact that the foundation location survey conforms to "Petitioner's Exhibit 1". The approved zoning order is based on that exhibit.



Mitchell J. Kellman, Planner II
FOR ARNOLD JABLON, DIRECTOR

5/30/96

Date

RECORDED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Rob Hoffman

JOHN TANGEY

PHIL GOLDEN

TOM RUSS

JACK CANNELLA

DAVID RHODES

MICKEY CORNELIUS

210 Alhambra Ave 21204
DEERFIELD HEALTHCARE CORP.
4900 W. WETHERSVILLE RD.
Deerfield Healthcare
4900 Wetheraville Rd. 21207

SSM, 55 FAIRMOUNT AVE, TOWSON 21206

HERITAGE PROPERTIES INC

515 FAIRMOUNT AVE

TOWSON MD 21206

40 W. CHESAPEAKE AVE TOWSON MD 21204



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

96-172-SPIA

NAME
Nick Jacobson

ADDRESS
~~1 BARATRA CT # 103~~ TUNONIKH, 21093
1 BARATRA CT # 103



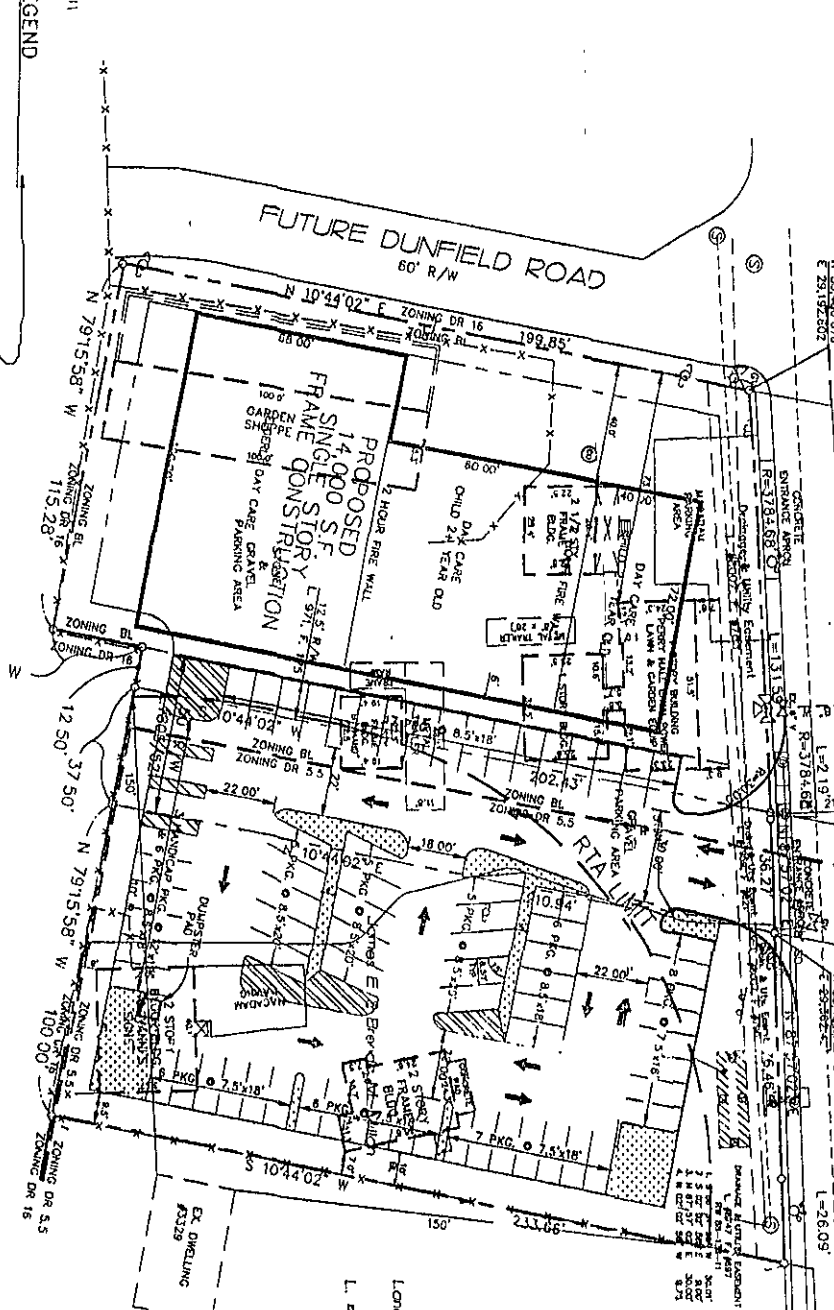
20000102



MAGDLET ROAD

FUTURE DUNFIELD ROAD
60' R/W

JOPPA ROAD
RC AD



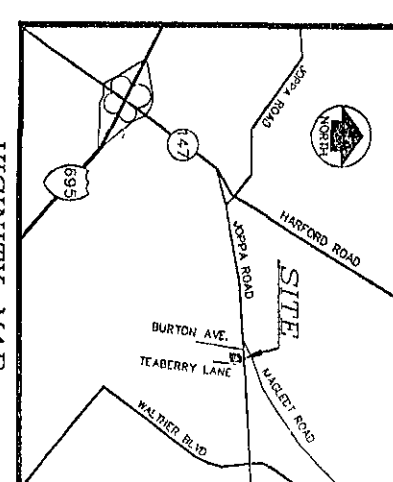
LANDS NOW OR FORMERLY
OF
L. #7829, F. #73401C.

- LEGEND
- ☆ LIGHT POLE
 - TELEPHONE MANHOLE
 - ⊗ GAS VALVE
 - ⊕ WATER METER
 - ⊗ STORM DRAIN MANHOLE
 - ⊗ SANITARY SEWER MANHOLE
 - ⊗ STORM DRAIN INLET
 - ⊗ SEWER CLEAN OUT
 - ⊗ FIRE HYDRANT
 - ⊗ OVERHEAD UTILITY POLE

LANDS NOW OR FORMERLY
OF
NOTTINGHAM FARM, INC.
L. #2467, F. #34991C.



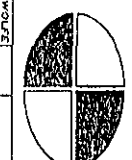
SUBMITTED BY: M. AMES, INC.
DATE: 10 AUGUST 1995
DRAWING NO. B00100G



VICINITY MAP
1" = 2000'

1. PARKING DATA
TOTAL: 14,000 SQ. FT.
5 SPACES FOR EACH 1,000 SQ. FT.
14 x 30' = 70 SPACES REQUIRED
74 SPACES SHOWN
TYPICAL SPACES:
75' ANGLED PARKING - 8.5' x 20'
STANDARD PARKING - 8.5' x 18'
COMPACT CAR PARKING - 5' x 18'
HANDICAP PARKING - 12' x 18'
PARKING TYPE: ASPHALT
SPACE PROPORTIONALLY SLOPED
2. ALL STRUCTURES AND USES WITHIN 200' ARE SHOWN
3. PROPERTY TOWNED, B.L. & D.R.S.
THE SECTION, DISTRICT & TERRITORIAL DISTRICT
PROPERTY 131842 ACRES, GROSS AREA
B.L. NET AREA = 0.59562 ACRES, D.R.S. NET AREA = 0.6017 ACRES
B.L. GROSS AREA = 0.68704 ACRES, D.R.S. GROSS AREA = 0.61332 ACRES
4. FAR = 14,000 / 37,492 = .24, FAR ALLOWED = .30
A.O.S. = 107.4
TOTAL PARKING AREA = 26,074 SF
PLANTING AREA = 1,944 SF (1,415 SF REQ'D)
5. THE PROPOSED LIGHTING WILL BE IN ACCORDANCE
WITH SECTION 402.6.1.1 B.C.E.C.
6. THE PROPOSED SEWERING AND LANDSCAPING WILL
BE IN ACCORDANCE WITH THE STANDARDS SET FORTH
IN ALL OTHER MANUALS ADOPTED PURSUANT TO SECTION
22-105 OF THE BALTIMORE COUNTY CODE.

PLAT TO ACCOMPANY PETITION FOR
VARIANCE AND SPECIAL HEARING
of the lands of
EAST JOPPA ROAD PARTNERSHIP I
#3821-27 JOPPA ROAD
BALTIMORE COUNTY, MD.
CONTRACTOR PURCHASER
HERITAGE PROPERTIES, INC.



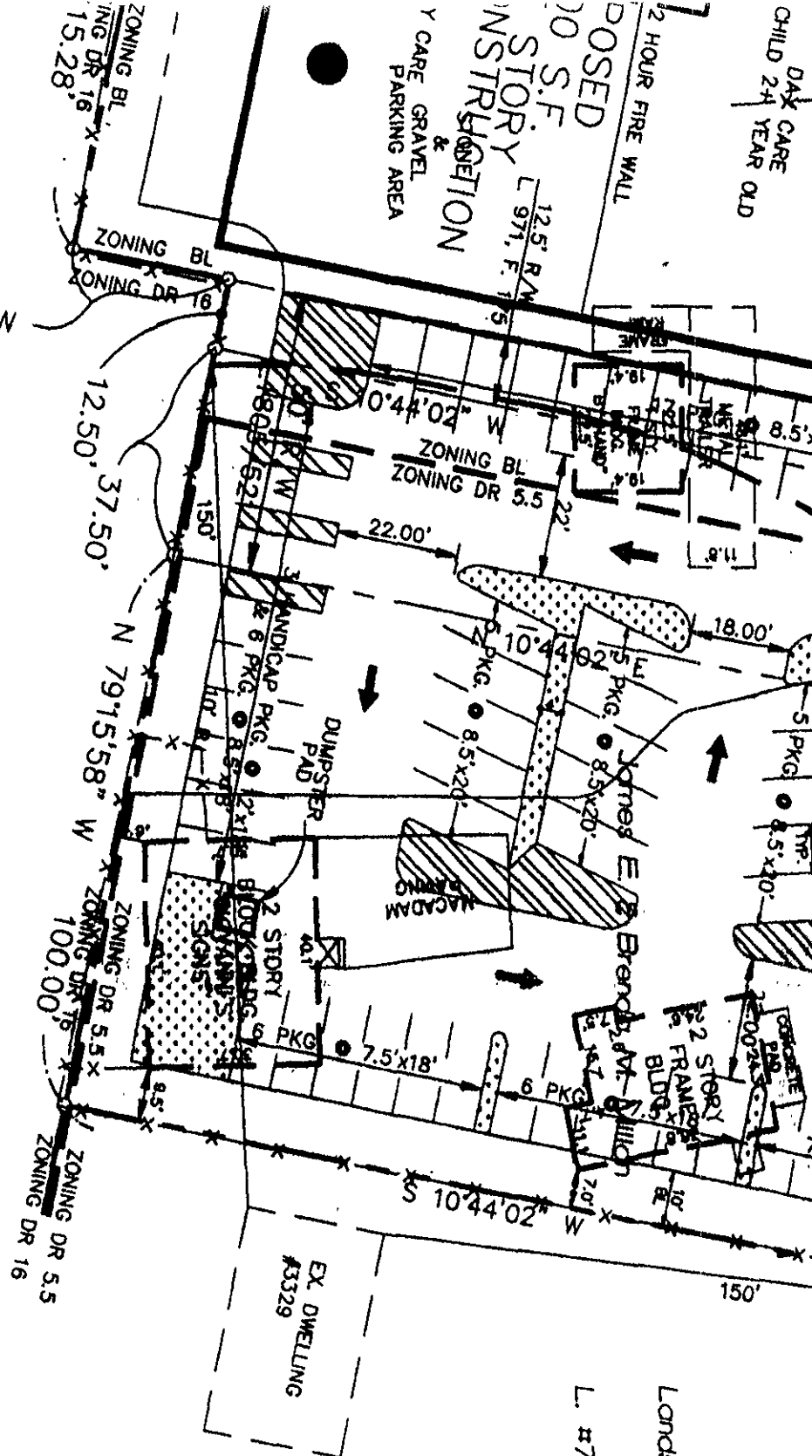
SSM
STATE SURVEYING & MAPPING, INC.
ENGINEERS, SURVEYORS, & MAPPING SPECIALISTS
1000 W. PATTERSON AVE., SUITE 200
BALTIMORE, MD. 21201-4200
(410) 391-1000 FAX (410) 391-1000

DATE	SCALE	APPROVALS	DATE
1" = 30'	20143	002	10-24-95
DATE	SCALE	APPROVALS	DATE

DAY CARE
CHILD 24 YEAR OLD

2 HOUR FIRE WALL

POSED
10 S.F.
STORY
INSTRUTION
&
Y CARE GRAVEL
PARKING AREA

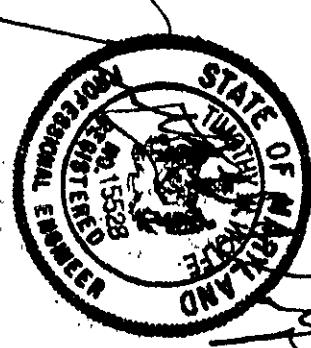


Lands now or formerly
of
L. #7829, F. #23461c.

4. F.A.R. = 14,000 / 57 A.O.S.
5. THE PROPOSED LIGHTING WITH SECTION 409.8.A.
6. THE PROPOSED SCREEN BE IN ACCORDANCE WITH ALL OTHER MANUALS 22-105 OF THE BALTIMORE

PLAT TO AC
VARIANCE

EAST JOH
#332
BALTI
CONV
HERITA



SURVEYED BY: M. AMG and M. O'NEILL

DATE: 18 AUGUST 1995

DWG. NO. B067DWG

GRIM	WOLFE
MADE	CHECK

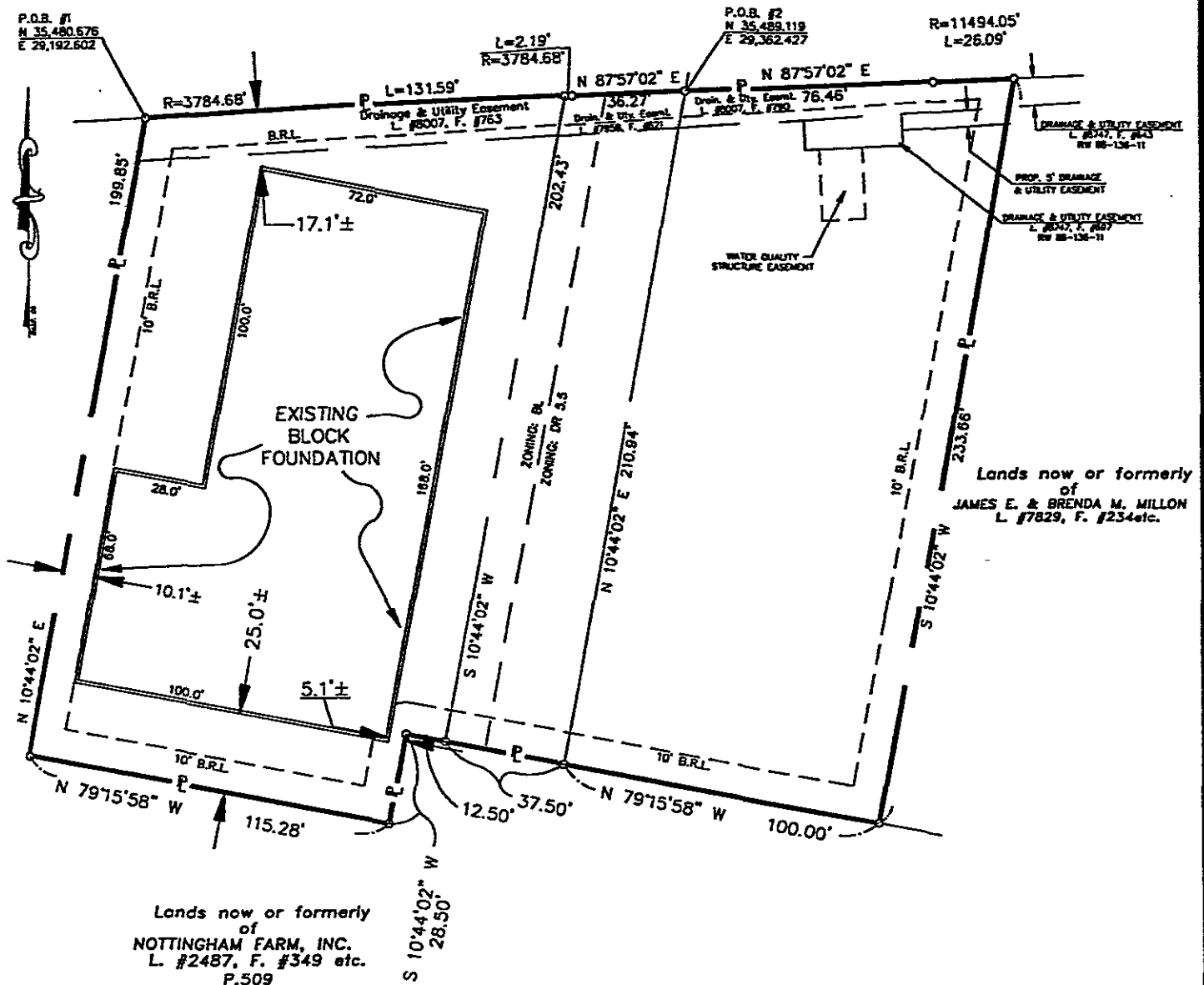
1" = 30'

SCALE

now or formerly
of
HAM FRARM, INC.
37, F. #34961c.

PROPOSED
NOT
RETURNED CENTER

E. JOPPA ROAD



NOTES:

- 1.) BEING THOSE LANDS SHOWN ON A PLAN ENTITLED "ALTA/ACSM LAND TITLE SURVEY OF THE LANDS OF EAST JOPPA ROAD PARTNERSHIP I", DATED AUGUST 19, 1995, AND PREPARED BY SPOTTS, STEVENS & MCCOY, INC.
- 2.) REFERENCE IS HEREBY MADE TO THE VARIANCES GRANTED ON DECEMBER 21, 1995 AS NOTED IN CASE NO. 96-172-SPHA.

FOUNDATION LOCATION

on

#3321-27 E. JOPPA ROAD
BALTIMORE COUNTY, MD.

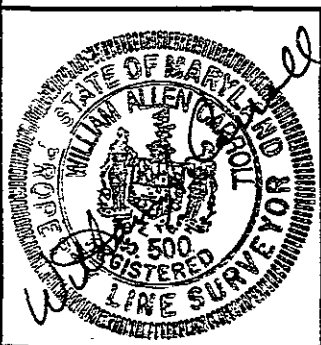
I HEREBY CERTIFY THAT I HAVE MADE A MEASUREMENTS OF THIS LOT FOR THE PURPOSE OF LOCATING THE IMPROVEMENTS THEREON AND THAT THEY ARE LOCATED AS SHOWN.

THIS PLAT IS NOT INTENDED FOR USE IN ESTABLISHING PROPERTY LINES.



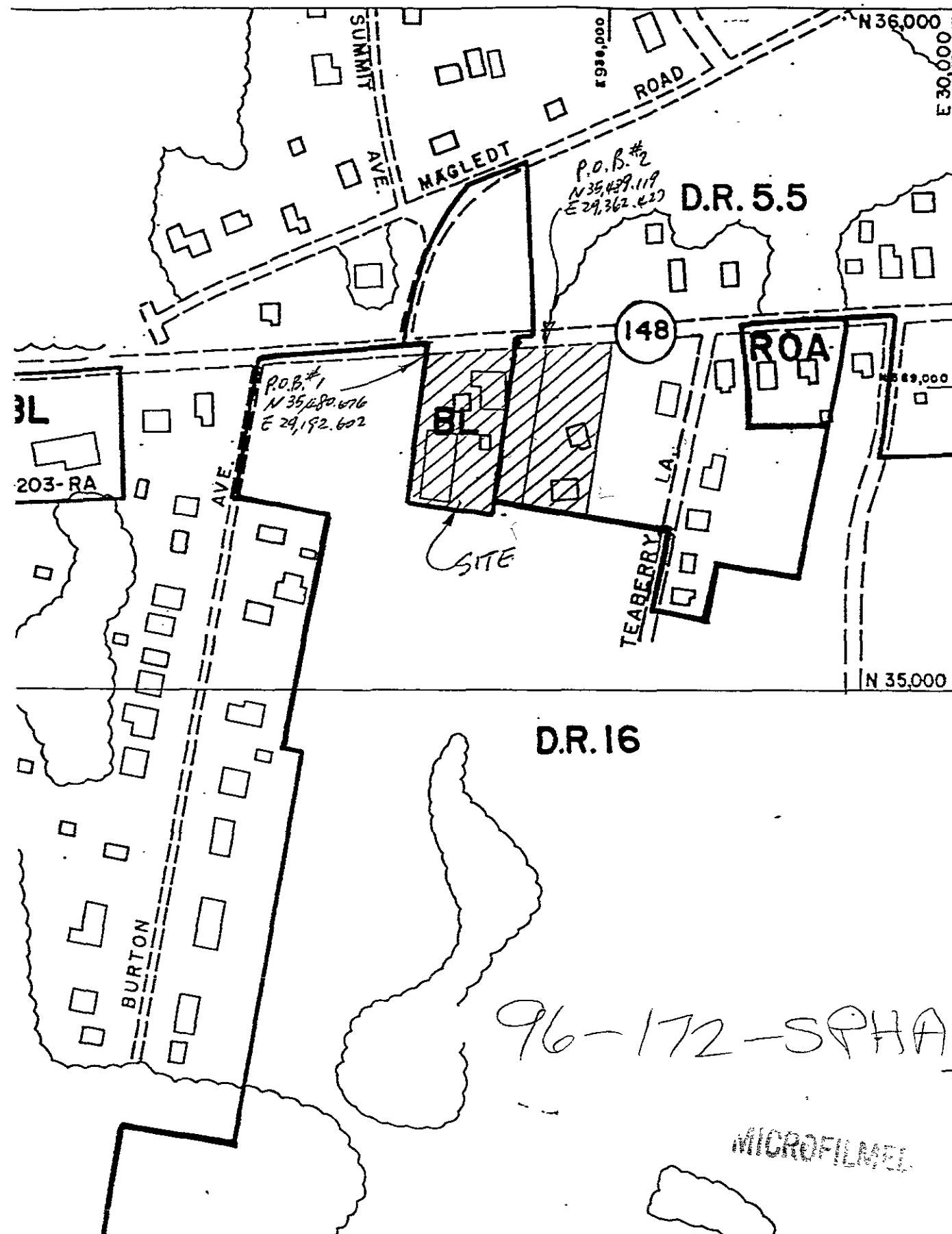
SPOTTS, STEVENS and MCCOY, INC.
ENGINEERS • SURVEYORS
PLANNERS • SCIENTISTS

555 Fairmount Ave., Suite 230
Towson, Maryland 21286-5497



N/A	N.P.W.	AMIG	B.C.	1"=50'	5/6/96	20143-002
APPLICATION NO.	TITLE CO.	DRAWN BY	CHECK BY	SCALE	DATE	JOB NO.

177



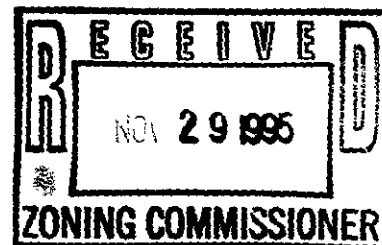


December 29, 1995

Mr. Lawrence E. Schmidt
Zoning Commissioner - Baltimore County
400 Washington Avenue
Towson, MD 21204

Via Fax No. 887-3408

Re: Heritage Properties Development
3321-27 E. Joppa Road
Baltimore, MD 21234



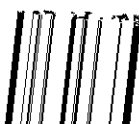
Dear Mr. Schmidt:

Senior Campus Living is the developer of the Oak Crest Village Retirement Community, a complex of 80 units located adjacent to the west and south property lines of the subject property. We are writing to inform you that we support this proposed project to construct and operate a single-story, 14,000 square foot adult and child day care facility. We see this project as a positive development to the community, both in its use and its appearance, based on our review of the conceptual building elevation.

We also support and recommend approval of the developer's request to provide parking in a residential zone, and we support approval of their requests for variances to RFA buffer and a side yard setback, and a variance to allow a minor encroachment into the side yard setback. We will also grant Heritage the right to complete some grading on our property in connection with a reversible grading easement. These approvals are based on our review of a "Final Site Company Petition For Variance and Special Hearing of the lands of East Joppa Road, Baltimore, MD, 3321-27 Joppa Road", dated 10/14/95, prepared by Spotts, Stevens and McCoy, and on our review of a "first phase grading sketch" provided to us by the developer.

Not No 4

MICROFILMED



Mr. Lawrence E. Schmitt

November 29, 1991

Page 2

We have discussed and matter with Mr. Jack Cannella, of Heritage Properties, Inc. and they have agreed to the following, which we respectfully request that you note in the record of the meeting.

Heritage Properties will submit a grading and site mapping plan for the southern portion of the project for approval by SC prior to initiating grading operations.

The final Landscape Plan for the project will include a minimum of 55 five foot tall pine trees to be planted on our property at the top of the slope, and

The pine trees so noted in 2 (above), shall be planted in the fall or spring planting season immediately following the completion of grading operations.

Any perimeter fencing constructed during construction shall be replaced with equal or better quality of fence.

Heritage Properties will maintain the Oak Creek Village secured perimeter prior to placement of the fence to contain any debris or property fence at the limit of fence.

Thank you for your consideration of our position regarding this development.

Sincerely,



Robert A. DeGuzman, PE
Civil Engineer

cc

Mr. Fred Walker
Mr. Jack Cannella
Mr. Mark DeGuzman

Petitioner's
Exhibit 3A-
3F

96-172-SHA



Ref 3A



Ref 3B



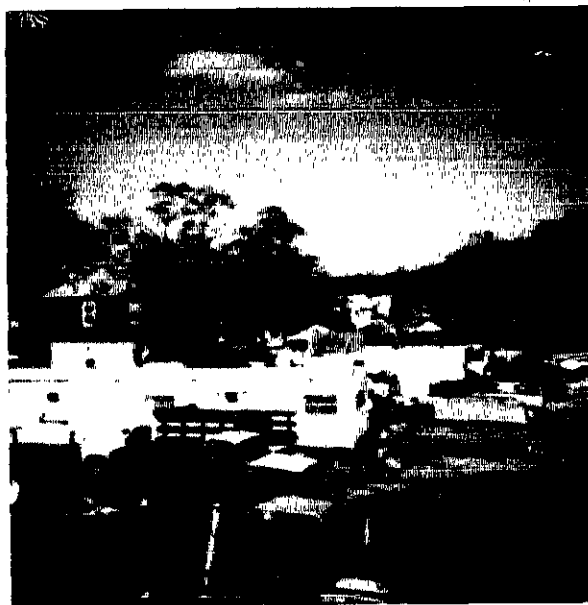
Pet 3C



Pet 3D



3F



Plot 3E

PURCHASE AGREEMENT

3321-3327 E. Joppa Road

THIS PURCHASE AGREEMENT ("Agreement") is made as of the 25 day of July, 1995 by EAST JOPPA ROAD PARTNERSHIP I, a Maryland general partnership (the "Seller"), as seller, and HERITAGE PROPERTIES, INC., a Maryland corporation (the "Buyer"), as buyer.

The parties agree as follows:

1. **Sale of the Property.** In accordance with this Agreement, Seller agrees to sell to Buyer, and Buyer agrees to purchase from Seller, the parcel of land known as 3321-3327 E. Joppa Road and as designated on Exhibit A attached to this Agreement, with all improvements thereon, all fixtures, all articles of personal property owned by Seller and used in connection with the maintenance of such improvements, and all rights of way or use, easements, appurtenances, and advantages pertaining thereto, and all Seller's interest in all water, sewer, and utility lines serving or intended to serve such property, (all such land and other items collectively called the "Property").

2. **Purchase Price.** The purchase price for the Property (the "Purchase Price") shall be Four Hundred Ten Thousand Dollars (\$410,000.00), payable as follows:

2.1. Upon execution of this Agreement by Seller, Buyer shall deliver to Guarantee Title Services, Inc. (the "Escrow Agent") Five Thousand Dollars (\$5,000.00) (the "First Deposit").

2.2. Upon the ninetieth (90th) day following the date of this Agreement, Buyer shall deliver to the Escrow Agent Twenty Thousand Dollars (\$20,000.00) (the "Second Deposit").

2.3. At Closing (defined below), Buyer shall pay to Seller the Purchase Price by bank or certified check or bank wire, at Seller's election, to the order of Seller, and the Escrow Agent shall pay to the Buyer the First Deposit, the Second Deposit (defined below), and any interest accrued on such deposits (collectively, with interest accrued, the "Deposits"). Otherwise, the Escrow Agent will pay the Deposits as provided in this Agreement.

3. **Due Diligence.**

3.1. During the period beginning on the date of this Agreement through the ninetieth (90th) day following the date of this Agreement, Buyer will undertake to review any

and all matters relating to the Property to determine if Buyer desires to purchase the Property, including, without limitation, zoning, leasing, parking, title, engineering, soils investigation, utility availability, and development scheduling. This ninety (90) day period, as it may be extended, is called the "Review Period."

3.2. During the Review Period, as discussed in Section 8.2, Buyer shall obtain a title report for the Property.

3.3. During the Review Period, Buyer may obtain an environmental study and engineering study of the Property including, without limitation, an examination of the interior of the improvements located on the Property.

3.4. If Buyer has undertaken all reasonable best efforts to obtain all necessary approvals under applicable zoning laws to develop the Property as Buyer intends, and Buyer has not obtained such approval by the ninetieth (90th) day following the date of this Agreement, upon notification to Seller on or before such ninetieth (90th) day following the date of this Agreement with a statement of the requested action and status of the governmental approval process, Buyer shall have the right to extend and may so extend the Review Period by notice to Seller for an additional period of forty-five (45) days to obtain such approval.

During the Review Period, upon reasonable prior notice to Seller during normal business hours, Seller will make available to Buyer for inspection and copying at Buyer's expense to the extent that such items are in Seller's possession or control, all leases, contracts, books, records, building plans, construction contracts, surveys, financing documents, title policies, environmental reports, insurance contracts, records of repairs or improvements made to the Property after initial construction, tax assessments, occupancy permits, and all other documents relevant to the Property requested by Buyer.

4. **Termination of Contract.** On or before the end of the Review Period, if Buyer determines not to purchase the Property, Buyer shall be entitled to terminate this Agreement by given written notice to Seller and the Escrow Agent on or before the end of the Review Period and delivering to Seller, within five (5) days following expiration of the Review Period, all of Buyer's work product relating to the Property which it has produced during the Review Period. Buyer shall use all reasonable efforts to obtain from owners of work product applicable to the Property, such as engineering plans, the right of Seller to use such work product. Upon the giving of such notice and the delivery of such work product, this Agreement shall be of no further force and effect, other than the survival of the indemnity set forth in Section 5 and in Section 18, and the Escrow Agent shall return to Buyer the Deposits then paid to the date of termination.

5. **Right to Enter.** During the Review Period, and at all times before Closing, Buyer shall have the right, upon reasonable prior notice to Seller, at Buyer's risk to enter upon

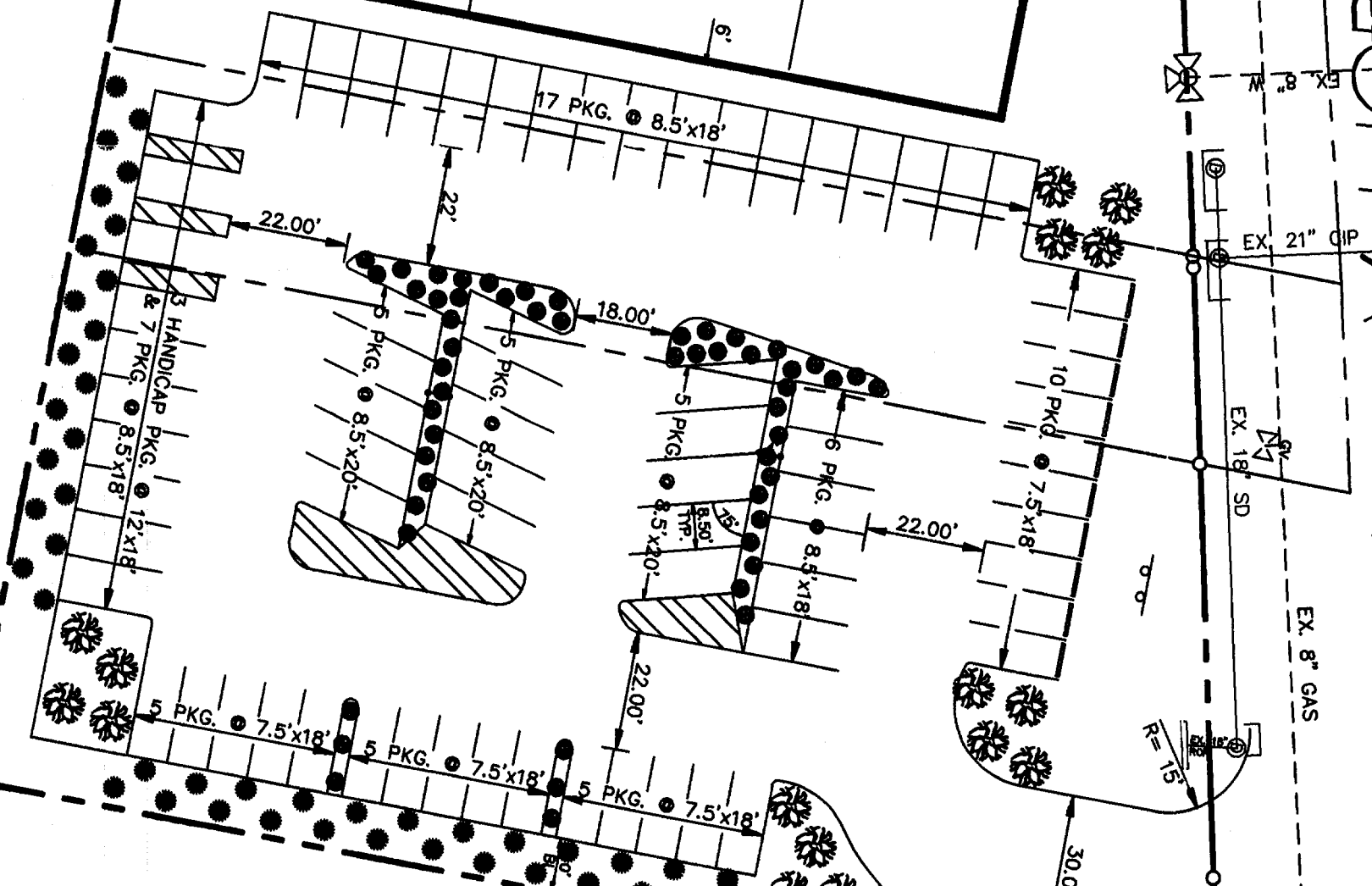
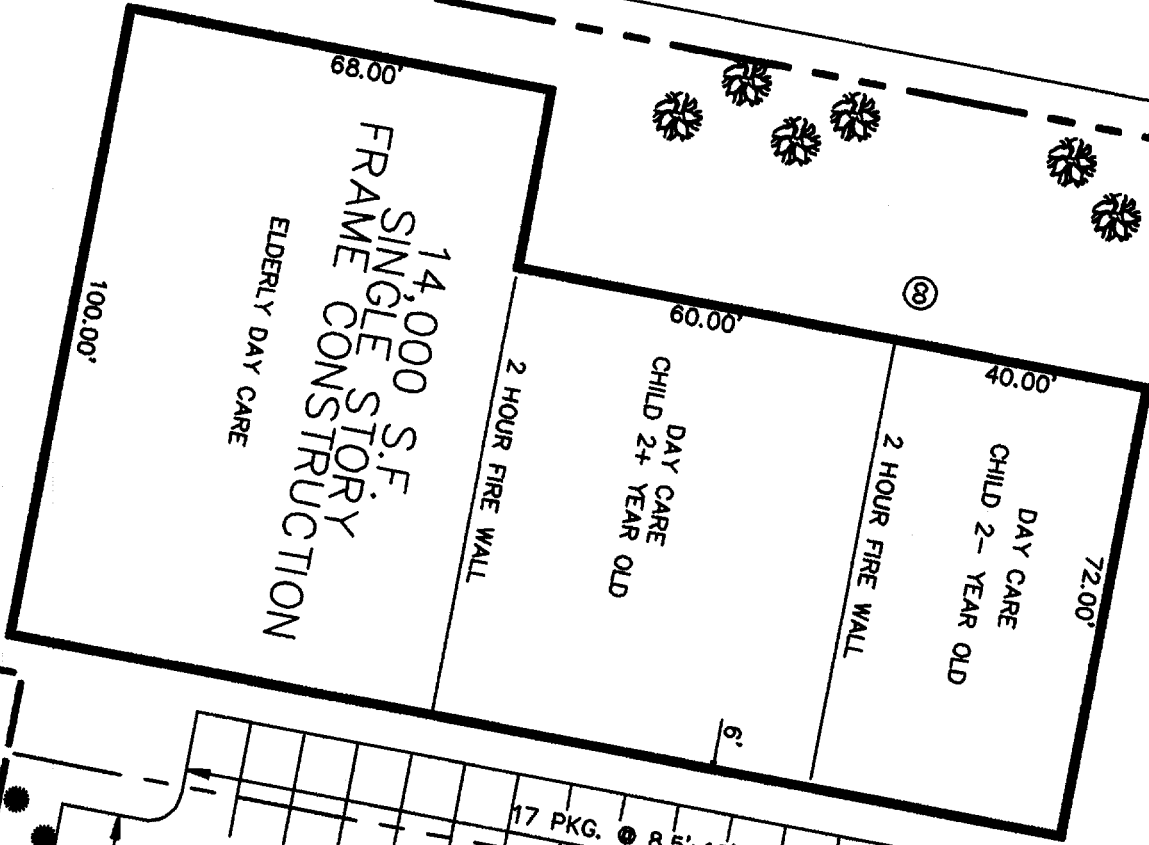
July 25, 1995
+ 90 DAYS } 135 DAYS
+ 45 DAYS }

Dec 7, 1995

FUTURE DUNFIELD ROAD

⑤

⑤



IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE - S/S East Joppa Road,
across from its intersection w/ * ZONING COMMISSIONER
Magleat Road (3321-3327 E. Joppa Road)
11th Election District * OF BALTIMORE COUNTY
6th Councilmanic District
* Case No. 96-172-SPHA
East Joppa Road Partnership I
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Hearing and Variance for that property known as 3321-3327 East Joppa Road, located in the vicinity of Burton Avenue and Magleat Road in Perry Hall. The Petitions were filed by the owner of the property, East Joppa Road Partnership I, by Felix Gutierrez, General Partner, and the Contract Purchaser, Heritage Properties, Inc., by David G. Rhodes, President, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek approval of parking in a D.R. 5.5 zone as an accessory use to an immediately adjacent commercial building located in a B.L. Zone, pursuant to Section 409.8.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), and variance relief from Section 232.2 of the B.C.Z.R. to permit setbacks of as close as 7 feet in lieu of the required 10-foot side yard or 20-foot rear yard setbacks required, and from Section 1801.1.B.1.e(2) of the B.C.Z.R. to permit a Residential Transition Area (RTA) setback and buffer of 10 feet each in lieu of the required 75 feet and 50 feet, respectively. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were David Rhodes and Jack Cannella with Heritage Properties, Inc., Contract Purchaser

ers of the subject property, John Tansey and Phil Golden with Deerfield Healthcare Corporation, the proposed tenant of the site, Tom Russ with Spotts, Stevens and McCoy, Inc., site location consultant, Mickey Cornelius, Traffic Engineering expert with The Traffic Group, Inc., and Robert A. Hoffman, Esquire, attorney for the Petitioner. Appearing as an interested party was Nick Jacobson, a nearby resident.

Testimony and evidence offered revealed that the subject property consists of a gross area of 1.3198 acres, more or less, of which 0.6870 acres are zoned B.L., and 0.6328 acres are zoned D.R. 5.5. The property is located adjacent to East Joppa Road near its intersection with Magleat Road and abuts a future road to be known as Dunfield Road which will abut the west side of the subject property when completed. The property is presently improved with several buildings which are used in conjunction with a sign business and a landscaping operation. The Petitioner proposes to raze the existing structures and construct a 14,000 sq.ft. building on the B.L. zoned portion of the site for a proposed child and adult day care facility. Parking to accommodate the proposed use will also be provided; however, the proposed parking area will be located primarily on the D.R.5.5 zoned portion of the site. Thus, the special hearing relief is necessary.

As noted above, the site is presently utilized by a sign business (Giovanni's Signs), and a landscaping operation. These uses will be discontinued when the proposed project moves forward. The Petitioner proposes extensive landscaping on the subject site, particularly on that portion of the property zoned D.R. 5.5. A proposed landscape plan was submitted into evidence as Petitioner's Exhibit 2, which shows the proposed buffering on the east side of the lot, adjacent to the nearest residence. The location of this residence immediately adjacent to the

proposed use necessitates the request for variance from RTA requirements. As shown on the site plan, strict adherence to those regulations would significantly limit parking and render a large portion of the site undevelopable.

Based on the testimony and evidence presented, I am persuaded that the requested relief should be granted. As to the special hearing request, the testimony was uncontradicted that the proposed use and parking arrangement will not be detrimental to the health, safety and general welfare of the surrounding locale. I am persuaded that the Petitioner has satisfied the tests set forth in Section 502.1 of the B.C.Z.R. The variance relief should also be granted. The uniqueness of this property is its split zoning and configuration. The site design is appropriate in that the building will be constructed entirely on the B.L. zoned portion of the property, immediately adjacent to the proposed intersection of future Dunfield Road and East Joppa Road. Adequate parking must obviously be provided to serve the contemplated use and the variance relief from setback and RTA requirements is appropriate. I am persuaded that the Petitioner has complied with Section 307 of the B.C.Z.R.

Pursuant to the Zoning Plans Advisory Committee (ZAC) comments, I will condition the approval granted herein by requiring the Petitioner to landscape the site in a manner substantially similar to the landscaping set forth on Petitioner's Exhibit 2. As noted above, the landscaping shown thereon primarily focused on buffering the proposed use and parking area from the adjoining residential uses. This landscaping plan is entirely appropriate. Also, the plan shows a relocation of the proposed driveway access to the parking area. Counsel for the Petitioner indicated that this relocation had not been approved by the appropriate Baltimore County

reviewing agencies. Therefore, relief granted herein shall be conditioned upon the Petitioner obtaining approval of the driveway's location from the appropriate County agencies.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of December, 1995 that the Petition for Special Hearing seeking approval of parking in a D.R. 5.5 zone as an accessory use to an immediately adjacent commercial building located in a B.L. Zone, pursuant to Section 409.8.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), and in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 232.2 of the B.C.Z.R. to permit setbacks of as close as 7 feet in lieu of the required 10-foot side yard or 20-foot rear yard setbacks required, and from Section 1801.1.B.1.e(2) of the B.C.Z.R. to permit a Residential Transition Area (RTA) setback and buffer of 10 feet each in lieu of the required 75 feet and 50 feet, respectively, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner shall landscape the subject site in accordance with the landscaping plan submitted into evidence as Petitioner's Exhibit 2.

ORDER RECEIVED FOR FILING
Date 12/21/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 12/21/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 12/21/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 12/21/95
By [Signature]

- 3) Prior to the issuance of any permits, the Petitioner shall obtain approval from the Department of Public Works and any other appropriate agency as to the relocation of the driveway access to the subject site.
- 4) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

LES:bjjs

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

December 21, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
S/S East Joppa Road, across from its intersection w/Magleat Road
(3321-3327 E. Joppa Road)
11th Election District - 6th Councilmanic District
East Joppa Road Partnership I - Petitioner
Case No. 96-172-SPHA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjjs

cc: Mr. David G. Rhodes, President, Heritage Properties, Inc.
515 Fairmount Avenue, Towson, MD. 21286

Mr. Felix Gutierrez, General Partner, East Joppa Road Partnership I
1016 Brookwood Drive, Mechanicsburg, Pa. 17055

Mr. Nick Jacobson
1 Baratra Court, #103, Timonium, Md. 21093

People's Counsel; Case File

Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at 3321 - 3327 Joppa Road
which is presently zoned EL/DR5.5

This Petition shall be filed with the Department of Permits & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Parking in a DR5.5 Zone as an accessory use to an immediately adjacent commercial building located in a EL Zone in accordance with Section 409.8.B2 of the B.C.Z.R.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Correct Purchaser/Owner:
David G. Rhodes, President
(Type or Print Name)
Signature: David G. Rhodes
Heritage Properties, Inc.
515 Fairmount Avenue
Towson, Maryland 21286
Work Phone - 494-8950
Home Phone - 391-5246
City: Towson, State: MD, Zipcode: 21204
Name, Address and phone number of representative to be contacted:
Venable, Baetjer & Howard
210 Allegheny Ave.
Towson, MD 21204
City: Towson, State: MD, Zipcode: 21204
Signature: [Signature]
(H) (717) 691-7548
1016 Brookwood Drive (H) (717) 763-2100
City: Mechanicsburg, Pennsylvania 17055
Name, Address and phone number of representative to be contacted:
See Contract Purchaser
Name: N/A, Address: N/A, Phone No: N/A
ESTIMATED LENGTH OF HEARING: 2 hr
The following date: Next Two Months
ALL OTHER: [Signature]
REVIEWED BY: [Signature] DATE: 10/25/95
Revised 9/5/95

ORDER RECEIVED FOR FILING
Date 12/21/95
By [Signature]

Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 3321 - 3327 Joppa Road
which is presently zoned EL/DR5.5

This Petition shall be filed with the Department of Permits & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

as close as 232.2 A 7-foot in lieu of 10-foot side yard setback or 20-foot rear yard setback 1801.1.B.1.e(2) to permit a RTA 10-foot setback and buffer in lieu of the required 75-foot setback and 50-foot buffer of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be determined at hearing

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Correct Purchaser/Owner:
David G. Rhodes, President
(Type or Print Name)
Signature: David G. Rhodes
Heritage Properties, Inc.
515 Fairmount Avenue
Towson, Maryland 21286
Work Phone - 494-8950
Home Phone - 391-5246
City: Towson, State: MD, Zipcode: 21204
Name, Address and phone number of representative to be contacted:
Venable, Baetjer & Howard
210 Allegheny Ave.
Towson, MD 21204
City: Towson, State: MD, Zipcode: 21204
Signature: [Signature]
(H) (717) 691-7548
1016 Brookwood Drive (H) (717) 763-2100
City: Mechanicsburg, Pennsylvania 17055
Name, Address and phone number of representative to be contacted:
See Contract Purchaser
Name: N/A, Address: N/A, Phone No: N/A
ESTIMATED LENGTH OF HEARING: 2 hr
The following date: Next Two Months
ALL OTHER: [Signature]
REVIEWED BY: [Signature] DATE: 10/25/95
Revised 9/5/95

ORDER RECEIVED FOR FILING
Date 12/21/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 12/21/95
By [Signature]

PROPERTY DESCRIPTION 96-172-SPHA

BEGINNING FOR THE FIRST at a point where the south side of East Joppa Road, as shown on Baltimore County Bureau of Land Acquisition Plot Nos. RW 88-136-10 & 11, intersects the North 17 degrees 38 minutes East 1,711.25 foot line of the lands conveyed by James J. Shanklin and wife to Aquilla F. Burton by deed dated June 19, 1904, recorded in Baltimore County in Liber No. 276, folio 588, said point having a coordinate value of North 35,480.076 East 29,192.602, based on values established by the Bureau of Engineering for Baltimore County; thence running with and binding on the south side of said East Joppa Road

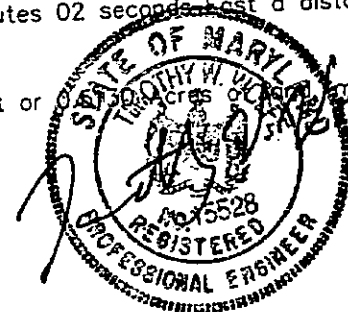
- by a curve to the right with a radius of 3,784.68 feet, a arc length of 131.59 feet, and being subtended by a chord bearing and distance of North 86 degrees 55 minutes 17 seconds East a distance of 131.58 feet; thence continuing to run with and bind on the south side of East Joppa Road the two following bearings and distances
- by a curve to the right with a radius of 3,784.68 feet, a arc length of 219 feet, and being subtended by a chord bearing and distance of North 87 degrees 56 minutes 03 seconds East a distance of 219 feet to a point of tangent; thence
- North 87 degrees 57 minutes 02 seconds East a distance of 36.27 feet to a point on the second or South 19 deg. West 216.57 foot line of the lands conveyed by Henry Diegert and Clara M. Diegert to Ray E. Chaitman and Laura V. Chaitman by deed dated June 3, 1950 and recorded in Baltimore County in Liber No. 1850, folio 75; thence leaving the south side of East Joppa Road and running with and binding on said second line
- South 10 degrees 44 minutes 02 seconds East a distance of 210.94 feet; thence
- North 79 degrees 15 minutes 58 seconds West a distance of 50.00 feet; thence
- South 10 degrees 44 minutes 02 seconds West a distance of 28.50 feet; thence
- North 79 degrees 15 minutes 58 seconds West a distance of 115.28 feet to a point on the first mentioned North 17 deg. 38 min. East 1,711.25 foot line of the lands conveyed by said Shanklin to Burton; thence running with and binding on said line
- North 10 degrees 44 minutes 02 seconds East a distance of 199.85 feet to the place of beginning.

CONTAINING 35,144 square feet or 0.8068 Acres of land, more or less.

BEGINNING FOR THE SECOND at a point where the south side of East Joppa Road, as shown on Baltimore County Bureau of Land Acquisition Plot Nos. RW 88-136-10 & 11, intersects the second or South 19 deg. West 216.57 foot line of the lands conveyed by Henry Diegert and Clara M. Diegert to Ray E. Chaitman and Laura V. Chaitman by deed dated June 3, 1950, recorded in Baltimore County in Liber No. 1850, folio 75, said point having a coordinate value of North 35,489.119 East 29,562.427, based on values established by the Bureau of Engineering for Baltimore County; thence running with and binding on the south side of said East Joppa Road

- North 87 degrees 57 minutes 02 seconds East a distance of 76.46 feet; thence
- by a curve to the left with a radius of 11,494.05 feet, a arc length of 26.09 feet, and being subtended by a chord bearing and distance of North 87 degrees 53 minutes 08 seconds East a distance of 26.09 feet to a point on the fourth line of the aforementioned conveyance; thence running with and binding reversely on said fourth, third and second lines
- South 10 degrees 44 minutes 02 seconds West a distance of 233.66 feet; thence
- North 79 degrees 15 minutes 58 seconds West a distance of 100.00 feet; thence
- North 10 degrees 44 minutes 02 seconds East a distance of 210.94 feet to the place of beginning.

CONTAINING 22,348 square feet or 0.5124 Acres of land, more or less.



#177

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 118 Date of Posting: 11/12/95
 Posted for: Special Hearing & Notice
 Petitioner: Heritage Properties, Inc.
 Location of property: 3321-3327 Joppa Rd., 75
 Location of Signs: Facing roadway on property being zoned
 Remarks: _____
 Posted by: [Signature] Date of return: 11/17/95
 Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 11/10, 1995
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/9, 1995.

THE JEFFERSONIAN,

A. Henrichson
 LEGAL AD. - TOWSON

NOTICE OF HEARING
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on Thursday, November 30, 1995 at 2:00 p.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:
 CASE NO. 96-172-SPHA (Item 177)
 3321 - 3327 Joppa Road
 corner S/S E. Joppa Road and S/S Hagelst Road
 11th Election District - 6th Councilmanic
 Legal Owner: East Joppa Road Partnership I
 Contract Purchaser: Heritage Properties, Inc.
 Special Hearing to approve parking in a D.R.-5.5 zone as an accessory use to an immediately adjacent commercial building located in a B.L. zone.
 Variance to permit as close as 7-foot in lieu of 10-foot side yard setback or 20-foot rear yard setback; and to permit a RZA 10-foot setback and buffer in lieu of the required 75-foot setback and 50-foot buffer.
 HEARING: THURSDAY, NOVEMBER 30, 1995 at 2:00 p.m. in Room 118, Old Courthouse.
 Arnold Jablon
 Director
 cc: East Joppa Road Partnership
 Heritage Properties, Inc.
 Robert A. Hoffman, Esq.
 NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
 (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. 007986
 DATE 10/25/95 ACCOUNT 01-615
 Item: 177
 By: MDH
 AMOUNT \$ 570.00
 RECEIVED FROM: Heritage Properties - 3321-3327 Joppa Rd
 020 - Comm Var. - \$ 250.00
 040 - Comm S/Hg - \$ 220.00
 040 - S/Hg - \$ 70.00
 03A0JH0326MCHRC
 BA C01156AM10-24-95 \$570.00
 VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. 013567
 DATE 6/23/96 ACCOUNT 001-6150
 AMOUNT \$ 40.00 (MJE)
 RECEIVED FROM: 3321 E. Joppa Road LLC
 \$412 \$710 - VERIFICATION
 3321 E. Joppa Road
 Joppa Center
 03A91H0062MCHRS
 BA C01127AM05-24-96 \$40.00
 VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
 Department of Permits and
 Development Management

Development Processing
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be accessed and paid to this office at the time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 177 Petitioner: Heritage Properties, Inc.
 Location: 3321-3327 Joppa Road
 PLEASE FORWARD ADVERTISING BILL TO:
 NAME: David G. Rhodes, President/Heritage Properties, Inc.
 ADDRESS: 515 Fairmount Avenue
Towson, MD 21206
 PHONE NUMBER: (410) 494-8950

TO: BUTTERICK PUBLISHING COMPANY
 November 9, 1995 Issue - Jeffersonian

Please forward billing to:

David G. Rhodes
 Heritage Properties, Inc.
 515 Fairmount Avenue
 Towson MD 21206
 410 494 8950

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on Thursday, November 30, 1995 at 2:00 p.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-172-SPHA (Item 177)

3321 - 3327 Joppa Road
 corner S/S E. Joppa Road and S/S Hagelst Road
 11th Election District - 6th Councilmanic
 Legal Owner: East Joppa Road Partnership I
 Contract Purchaser: Heritage Properties, Inc.

Special Hearing to approve parking in a D.R.-5.5 zone as an accessory use to an immediately adjacent commercial building located in a B.L. zone.
 Variance to permit as close as 7-foot in lieu of 10-foot side yard setback or 20-foot rear yard setback; and to permit a RZA 10-foot setback and buffer in lieu of the required 75-foot setback and 50-foot buffer.

HEARING: THURSDAY, NOVEMBER 30, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
 ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
 (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
 Department of Permits and
 Development Management

Development Processing
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

November 6, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on Thursday, November 30, 1995 at 2:00 p.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-172-SPHA (Item 177)

3321 - 3327 Joppa Road
 corner S/S E. Joppa Road and S/S Hagelst Road
 11th Election District - 6th Councilmanic
 Legal Owner: East Joppa Road Partnership I
 Contract Purchaser: Heritage Properties, Inc.

Special Hearing to approve parking in a D.R.-5.5 zone as an accessory use to an immediately adjacent commercial building located in a B.L. zone.
 Variance to permit as close as 7-foot in lieu of 10-foot side yard setback or 20-foot rear yard setback; and to permit a RZA 10-foot setback and buffer in lieu of the required 75-foot setback and 50-foot buffer.

HEARING: THURSDAY, NOVEMBER 30, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Bel Jablon
 Arnold Jablon
 Director

cc: East Joppa Road Partnership
 Heritage Properties, Inc.
 Robert A. Hoffman, Esq.

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
 (2) HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
 (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
 Department of Permits and
 Development Management

Development Processing
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

November 24, 1995

Rob Hoffman, Esquire
 Venable, Baetjer & Howard
 210 Allegheny Avenue
 Towson, Maryland 21204

RE: Item No.: 177
 Case No.: 96-172-SPHA
 Petitioner: Felix Gutierrez

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 25, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
 W. Carl Richards, Jr.
 Zoning Supervisor

WCR/jw
 Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: November 15, 1995

FROM: Pat Keller, Director, OP

SUBJECT: 3321-3327 Joppa Road

INFORMATION:

Item Number: 177
 Petitioner: Heritage Properties
 Property Size: _____
 Zoning: BL & DR-5.5
 Requested Action: Special Hearing
 Hearing Date: 11/1

SUMMARY OF RECOMMENDATIONS:

On November 6, 1995, the Development Review Committee granted a limited exemption (B9). An attachment to the requested exemption dated October 24, 1995, stated, in part, the following: "The landscaping will be in accordance with the Landscape Manual, but screening will be denser between the parking lot and the existing dwelling. Both day care centers will have landscaped outdoor recreational areas." Staff supports the applicant's request based upon an agreement to provide outdoor recreational areas and enhanced landscaping (see attached memo of October 24, 1995).

Prepared by: Jeffrey M. Long

Division Chief: Carol K. Kears

PK/JL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Nov. 16, 1995
Zoning Administration and Development Management
FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division
RE: Zoning Advisory Committee Meeting
for November 13, 1995
Item No. 177

The Development Plans Review Division has reviewed the subject zoning item. A schematic landscape plan should be submitted with this request.

RWB:ew

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-1500

DATE: 11/07/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: EAST JOPPA ROAD PARTNERSHIP I

LOCATION: CORNER S/S EAST JOPPA RD. AND E/S MAGDLET RD.
(3321-3327 JOPPA RD.)

Item No.: 177 Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

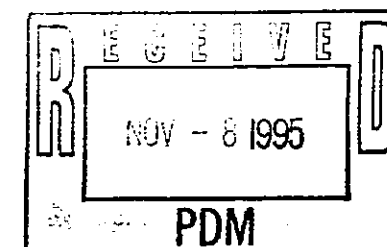
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing on or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-110FF



Printed on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

11-6-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 177 (MSK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
3321, 3327 Joppa Road, Corner S/S * ZONING COMMISSIONER
E. Joppa Road and E/S Magdlet Road *
11th Election Dist., 6th Councilmanic * OF BALTIMORE COUNTY
Legal Owner: East Joppa Road Partnership I *
Contract Purchaser: Heritage Properties, Inc. * CASE NO. 96-172-SPHA
Petitioners *
* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Charles S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of November, 1995, a copy of the foregoing Entry of Appearance was mailed to Rob Hoffman, Esquire, Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



October 23, 1995

Hand-Delivered
Mr. Arnold Jablon, Director
Permits Development Mgmt.
111 W. Chesapeake Avenue
Towson, MD 21204

Re: 3321-3327 E. Joppa Road, Baltimore, Maryland
Presently Zoned BL/DR 5.5.

Dear Mr. Jablon:

This letter is to request an expedited hearing date for the special hearing and variance petitions on file with the zoning office for the above-captioned project.

The project consists of a 14,000 square foot, single-story retail building to be completely occupied by both adult and child day care centers. The 1.3 acre site is split-zoned BL and DR 5.5. Since the accessory parking use is in the DR zone, a special hearing is required. A variance is requested for relief from some of the RTA requirements.

Because of delays in obtaining the owner's signature for the petitions, we have just filed the case. However, our contract to purchase the property requires us to settle by December 7, 1995 (copy of contract terms enclosed for your use and reference). Due to the tightness of our schedule, I would appreciate your help getting the hearing scheduled as close to the minimum 30 day period as possible. Thank you for your help.

John C. Cannella
Director, Construction & Bldg. Mgmt.

JCC/ce

Encl.

cc: R. Huffman, Esq., Venable, Baetjer & Howard
D. Rhodes, Heritage Properties, Inc.

Heritage Properties, Inc.
515 Fairmount Avenue
Towson, Maryland 21286
(410) 884-0550



November 29, 1995

Mr. Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
400 Washington Avenue
Towson, MD 21204

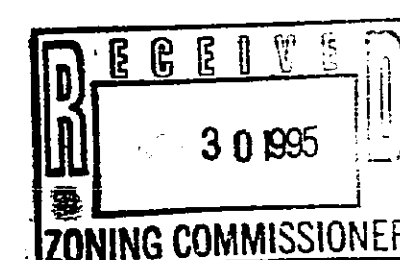
Via Fax. No. 887 - 3468

Re: Heritage Properties Development
3321-27 E. Joppa Road
Baltimore, MD 21234

Dear Mr. Schmidt:

Senior Campus Living is the developer of the Oak Crest Village Retirement Community, which occupies an 85 acre tract adjacent to the west and south property lines of the subject property. We are writing to inform you that we support this proposed project to construct and operate a single story, 14,000 square foot adult and child day care facility. We see this project as a positive improvement to the community, both in its use and its appearance, based on our review of a conceptual building elevation.

We also support and recommend approval of the developer's request to provide parking in a residential zone, and we support approval of their requests for variances to RTA buffer and setback requirements, and a variance to allow a minimal encroachment into the side yard setback. We will also grant Heritage the right to complete some grading on our property in accordance with a revertible grading easement. These approvals are based on our review of a "Plat To Accompany Petition For Variance and Special Hearing of the lands of East Joppa Road Partnership I, #3321-27 Joppa Road", dated 10/24/95, prepared by Spotts, Stevens and McCoy, Inc. and on our review of a "first blush grading sketch" provided to us by the developer.



Mr. Lawrence E. Schmidt
November 29, 1995
Page 2

We have discussed this matter with Mr. John Cannella, of Heritage Properties, Inc. and they have agreed to the following, which we respectfully request that you note in the record of the hearing:

- Heritage Properties will submit a grading and landscaping plan for the southern portion of your project for approval by SCL prior to initiating grading operations;
- The Final Landscape Plan for the project will include a minimum of 35 five foot tall pine trees to be planted on our property at the top of the slope; and
- The pine trees so noted in 2 (above) shall be planted in the fall or spring planting season immediately following the completion of grading operations.
- Any perimeter fencing disturbed during construction will be replaced with equal or better quality of fence.
- Heritage Properties will maintain the Oak Crest Village secured perimeter prior to replacement of the fence by constructing a temporary fence at the limit of construction.

Thank you for your consideration of our position regarding this development.

Sincerely,

Richard A. Baummer
Richard A. Baummer, PE
Asst. Director, Civil Engineering

/s/ab

cc: Mr. Fred Walker
Mr. Jack Cannella
Mr. David Destino



May 21, 1996

Hand-Delivered
Mr. Arnold Jablon, Director
Permits Development Mgmt.
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Joppa Center
3321 East Joppa Road
Baltimore, Maryland
Zoning Case No. 96-172 SPHA

Dear Mr. Jablon:

By way of this letter, I am requesting you confirm that the location of our Joppa Center building, as shown on the enclosed drawing titled "Foundation Location" dated May 6, 1996 and prepared by Spotts, Stevens & McCoy, Inc., meets the zoning order referenced above. I am also enclosing a check in the amount of \$40 for the customary fee for administrative reviews.

The foundation survey indicates the building is situated within the building setback lines everywhere except at the southeast corner, which is set back 5.1 feet from the property line. Page four of the Zoning Commissioner's Order included in the Zoning Decision Materials allows a setback as close as seven feet in lieu of the required 10-foot side yard setback. The discrepancy results from a mismeasurement at the time of the preparation of the zoning application.

Our engineers prepared the Plat to Accompany the Petition for Variance and Special Hearing and I filled out the various petitions. I have enclosed a reduced copy of the zoning plat (i.e., 1" = 60') and a copy of a portion of the original (i.e., 1" = 30') to illustrate the discrepancy. When I filled out the petition, I was measuring the encroachment and so measured from the setback line to the building rather than from the property line to the face of the building. At that scale, the line around the building is two feet thick in order to make it stand out and, hence, the discrepancy.

Heritage Properties, Inc.
515 Fairmount Avenue
Towson, Maryland 21286
(410) 769-0100

2 1996

Arnold Jablon, Director
Permits Development Management
May 21, 1996
Page 2

The proposed setback shown on the "Plat to Accompany the Petition . . ." is exactly what the Foundation Location drawing has confirmed. The Zoning Commissioner's Order simply followed my mismeasured, written request. The Order also relied upon the written statement of Oak Crest Village (enclosed), our neighbor abutting the property at this location, that they have no objection to the encroachment. Oak Crest's plan for that area of the property is for an overflow parking lot and we have agreed to provide a pine tree screen along our mutual property line. Although the community was represented at the hearing, there was no objection to our plan.

Please confirm our conformance with the Zoning Commissioner's Order by signing and returning one original of this letter.

Sincerely,

Jack
John C. Cannella
Director, Construction & Bldg. Mgmt.

JCC/cc
Encl.

This confirms the Foundation Location drawing on 3321-27 East Joppa Road prepared by Spotts, Stevens & McCoy dated May 6, 1996 is in conformance with Zoning Commissioner's Order for Case #96-172 SPHA. This confirmation is based upon the fact that the foundation location survey conforms to "Petitioner's Exhibit 1". The approved zoning order is based on that exhibit.

Mitchell J. Kellman
Mitchell J. Kellman, Planner II
FOR ARNOLD JABLON, DIRECTOR

5/30/96

Date

PURCHASE AGREEMENT

3321-3327 E. Joppa Road

THIS PURCHASE AGREEMENT ("Agreement") is made as of the 27 day of July, 1995 by EAST JOPPA ROAD PARTNERSHIP I, a Maryland general partnership (the "Seller"), as seller, and HERITAGE PROPERTIES, INC., a Maryland corporation (the "Buyer"), as buyer.

The parties agree as follows:

1. **Sale of the Property.** In accordance with this Agreement, Seller agrees to sell to Buyer, and Buyer agrees to purchase from Seller, the parcel of land known as 3321-3327 E. Joppa Road and as designated on Exhibit A attached to this Agreement, with all improvements thereon, all fixtures, all articles of personal property owned by Seller and used in connection with the maintenance of such improvements, and all rights of way or use, easements, appurtenances, and advantages pertaining thereto, and all Seller's interest in all water, sewer, and utility lines serving or intended to serve such property, (all such land and other items collectively called the "Property").

2. **Purchase Price.** The purchase price for the Property (the "Purchase Price") shall be Four Hundred Ten Thousand Dollars (\$410,000.00), payable as follows:

2.1. Upon execution of this Agreement by Seller, Buyer shall deliver to Guarantee Title Services, Inc. (the "Escrow Agent") Five Thousand Dollars (\$5,000.00) (the "First Deposit").

2.2. Upon the ninetieth (90th) day following the date of this Agreement, Buyer shall deliver to the Escrow Agent Twenty Thousand Dollars (\$20,000.00) (the "Second Deposit").

2.3. At Closing (defined below), Buyer shall pay to Seller the Purchase Price by bank or certified check or bank wire, at Seller's election, to the order of Seller, and the Escrow Agent shall pay to the Buyer the First Deposit, the Second Deposit (defined below), and any interest accrued on such deposits (collectively, with interest accrued, the "Deposits"). Otherwise, the Escrow Agent will pay the Deposits as provided in this Agreement.

3. Due Diligence.

3.1. During the period beginning on the date of this Agreement through the ninetieth (90th) day following the date of this Agreement, Buyer will undertake to review any

and all matters relating to the Property to determine if Buyer desires to purchase the Property, including, without limitation, zoning, leasing, parking, title, engineering, soils investigation, utility availability, and development scheduling. This ninety (90) day period, as it may be extended, is called the "Review Period."

3.2. During the Review Period, as discussed in Section 8.2, Buyer shall obtain a title report for the Property.

3.3. During the Review Period, Buyer may obtain an environmental study and engineering study of the Property including, without limitation, an examination of the interior of the improvements located on the Property.

3.4. If Buyer has undertaken all reasonable best efforts to obtain all necessary approvals under applicable zoning laws to develop the Property as Buyer intends, and Buyer has not obtained such approval by the ninetieth (90th) day following the date of this Agreement, upon notification to Seller on or before such ninetieth (90th) day following the date of this Agreement with a statement of the requested action and status of the governmental approval process, Buyer shall have the right to extend and may so extend the Review Period by notice to Seller for an additional period of forty-five (45) days to obtain such approval.

During the Review Period, upon reasonable prior notice to Seller during normal business hours, Seller will make available to Buyer for inspection and copying at Buyer's expense to the extent that such items are in Seller's possession or control, all leases, contracts, books, records, building plans, construction contracts, surveys, financing documents, title policies, environmental reports, insurance contracts, records of repairs or improvements made to the Property after initial construction, tax assessments, occupancy permits, and all other documents relevant to the Property requested by Buyer.

4. **Termination of Contract.** On or before the end of the Review Period, if Buyer determines not to purchase the Property, Buyer shall be entitled to terminate this Agreement by given written notice to Seller and the Escrow Agent on or before the end of the Review Period and delivering to Seller, within five (5) days following expiration of the Review Period, all of Buyer's work product relating to the Property which it has produced during the Review Period. Buyer shall use all reasonable efforts to obtain from owners of work product applicable to the Property, such as engineering plans, the right of Seller to use such work product. Upon the giving of such notice and the delivery of such work product, this Agreement shall be of no further force and effect, other than the survival of the indemnity set forth in Section 5 and in Section 18, and the Escrow Agent shall return to Buyer the Deposits then paid to the date of termination.

5. **Right to Enter.** During the Review Period, and at all times before Closing, Buyer shall have the right, upon reasonable prior notice to Seller, at Buyer's risk to enter upon

PLEASE PRINT CLEARLY

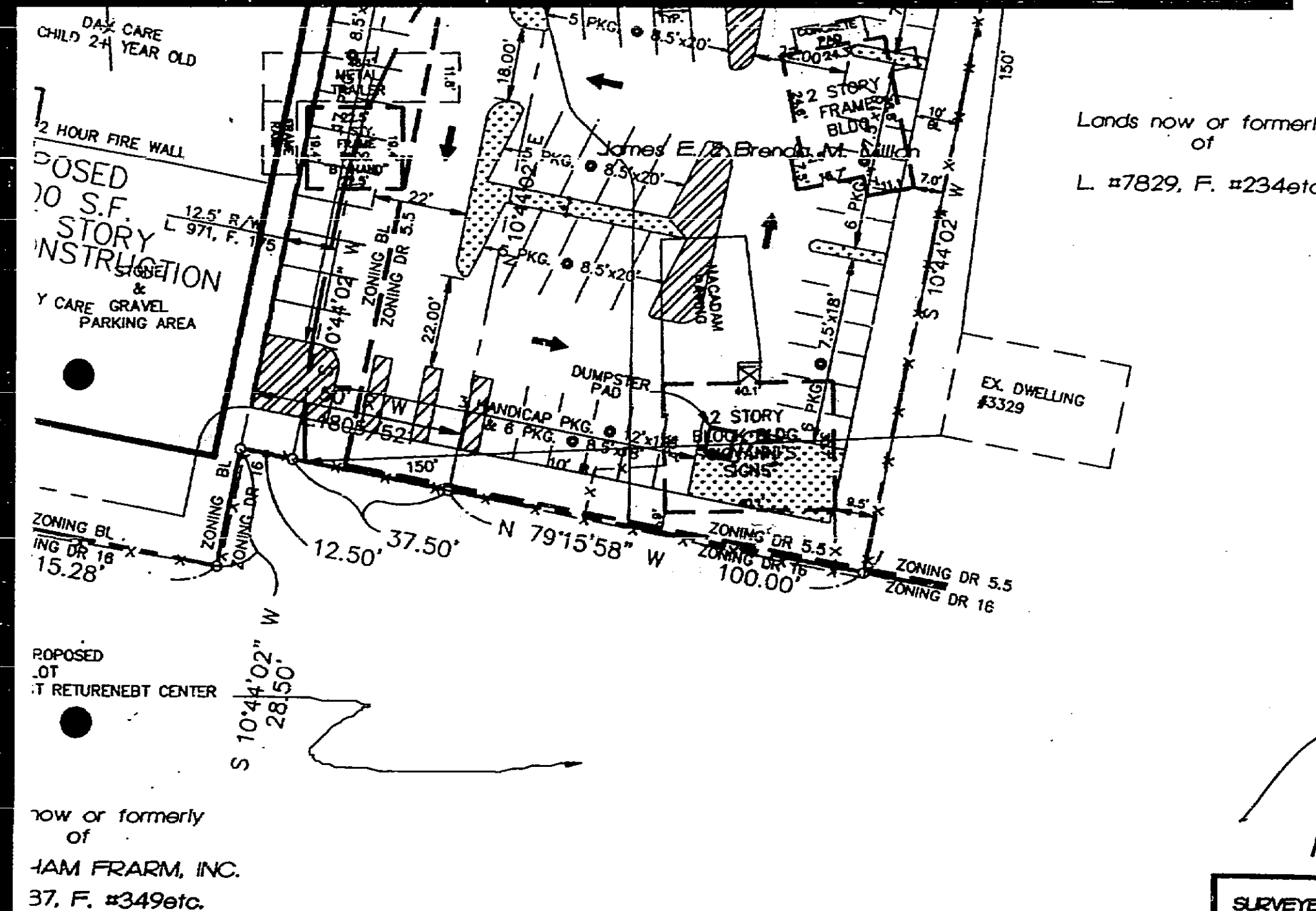
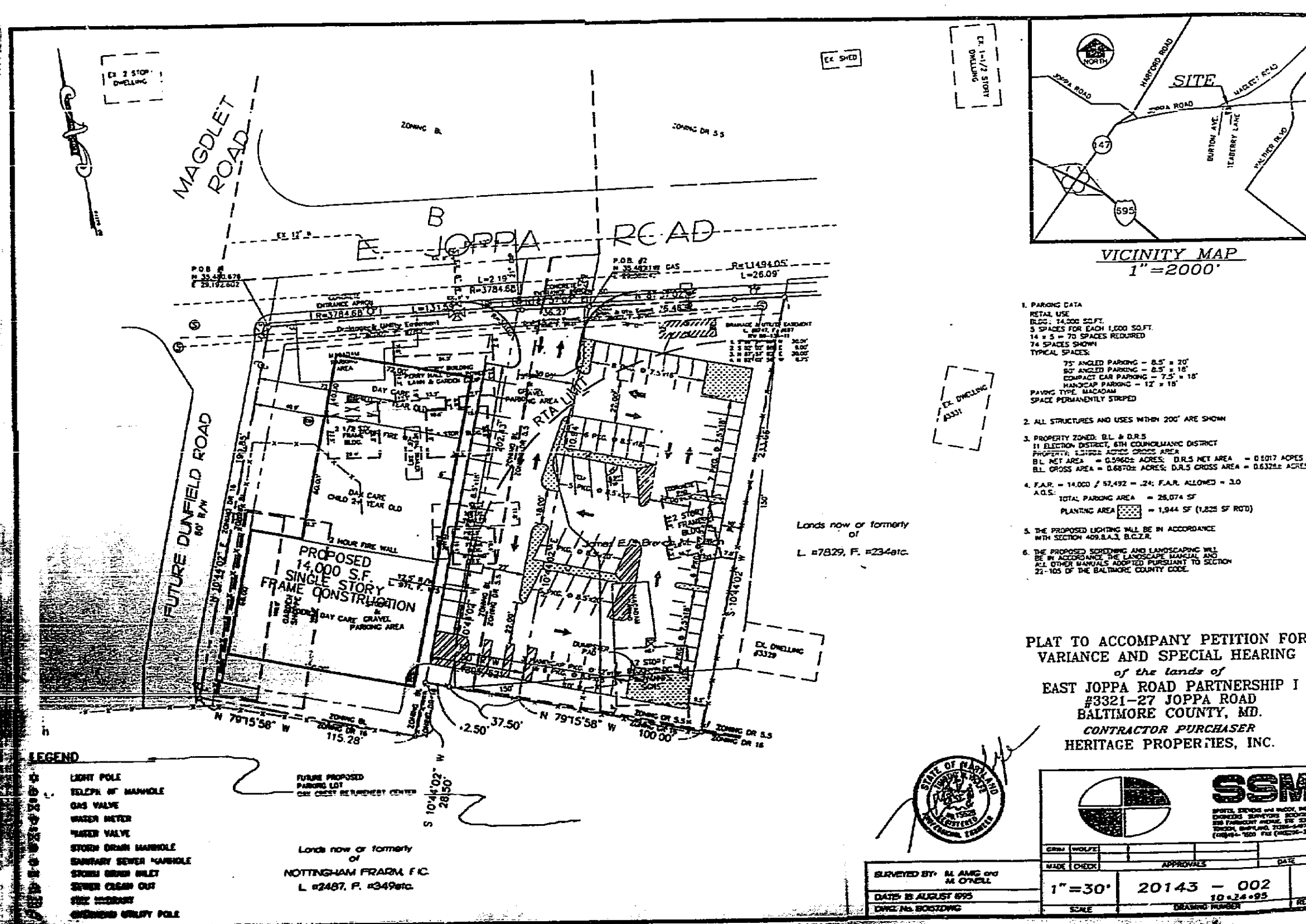
PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Rob Hoffman	210 Alhambra Ave 21204
John Tansey	DOVERFIELD WOODHARBOUR CDP
PHIL GOLDEN	4200 W. CHESAPEAKE AVE
TOM RUSS	4900 W. CHESAPEAKE AVE EL. 21207
JACK CHANIELLA	SSM, 555 FAIRMOUNT AVE, TOWSON 21206
DAVID RHODES	HERITAGE PROPERTIES INC
MICKEY CORNELIUS	515 FAIRMOUNT AVE
	TOWSON MD 21204
	40 W. CHESAPEAKE AVE TOWSON MD 21204

PLEASE PRINT CLEARLY

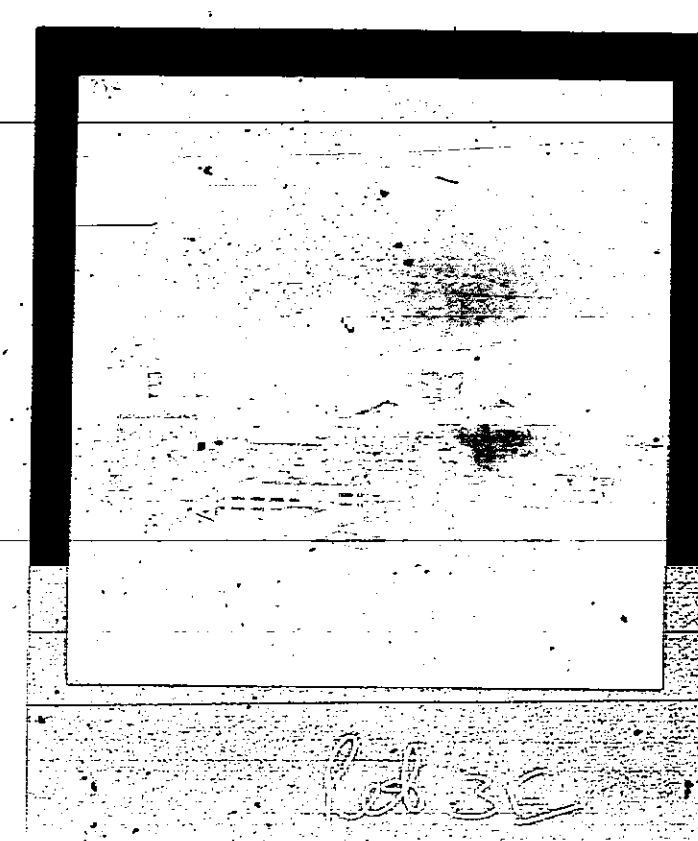
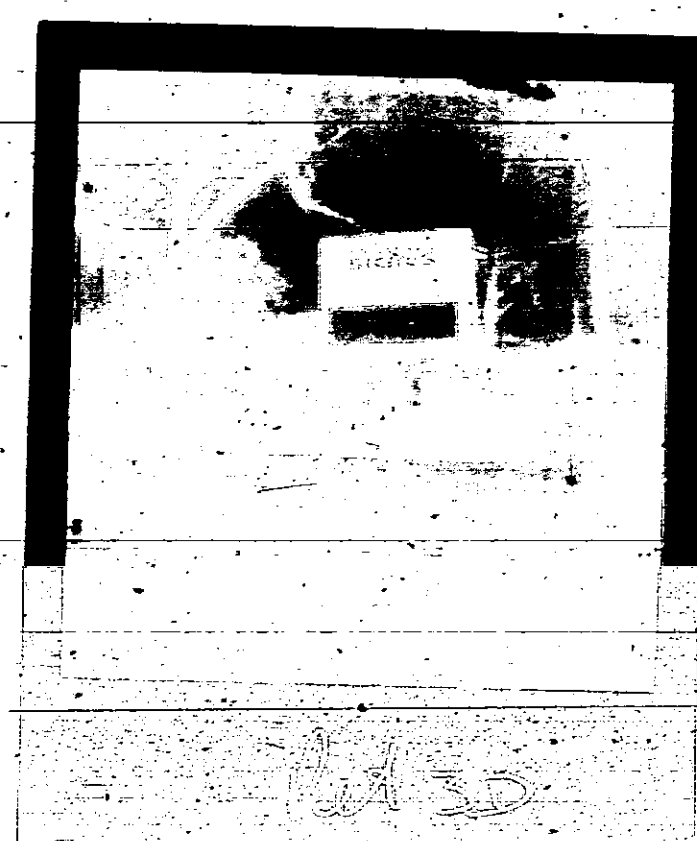
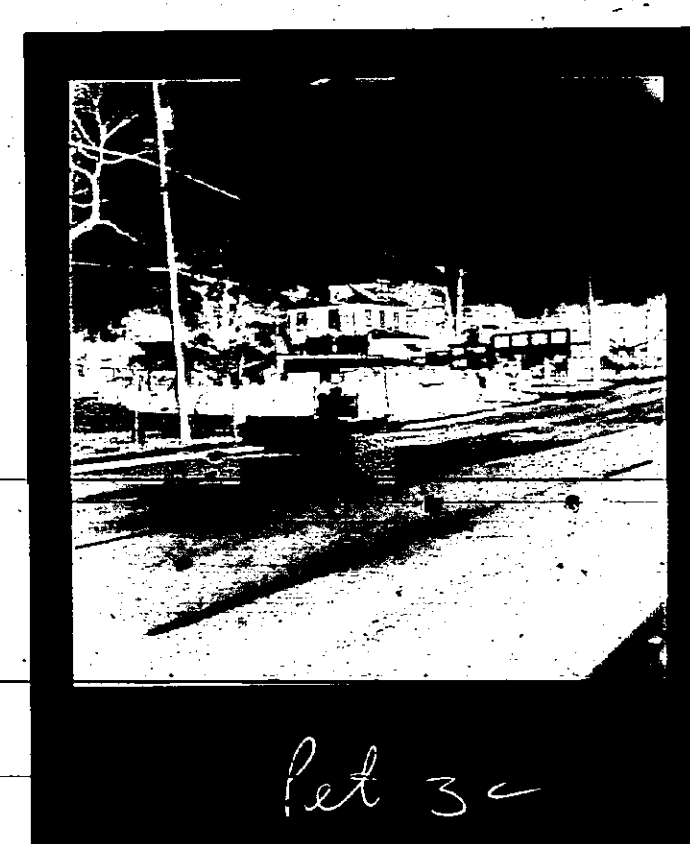
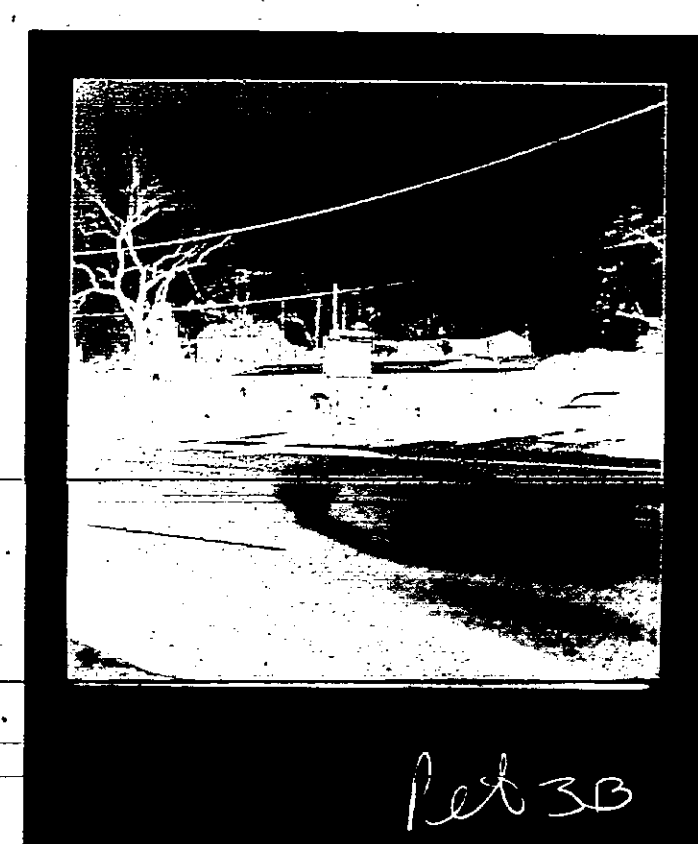
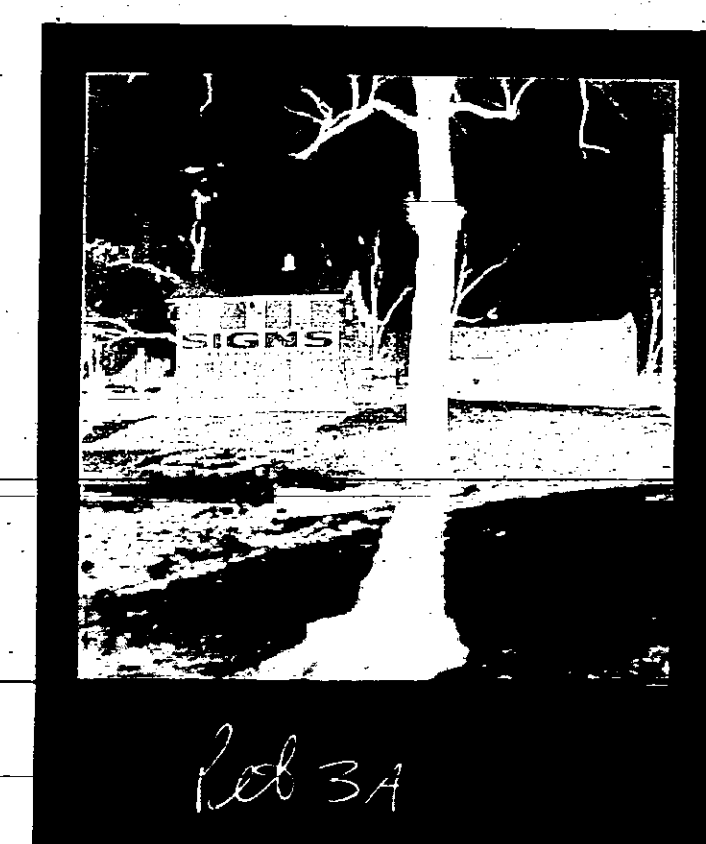
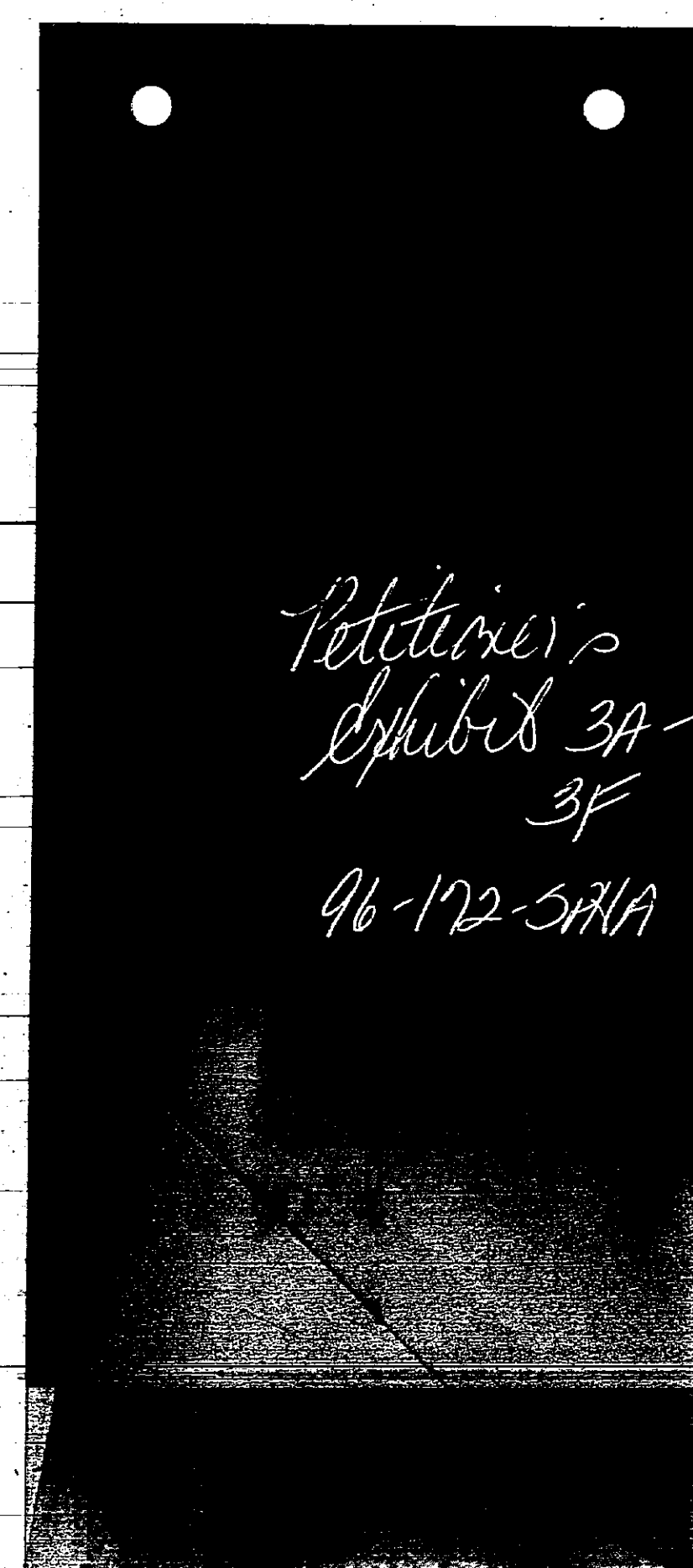
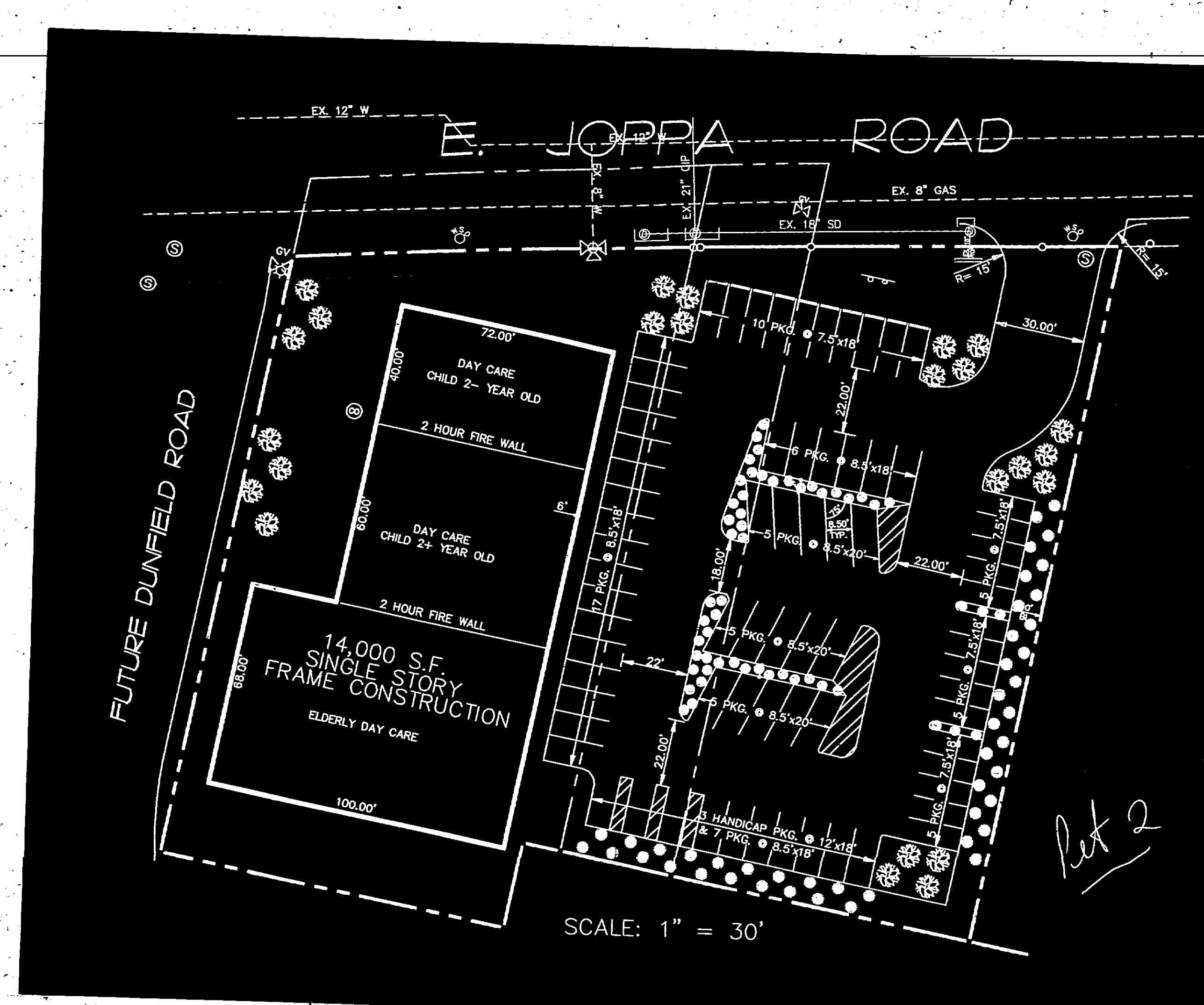
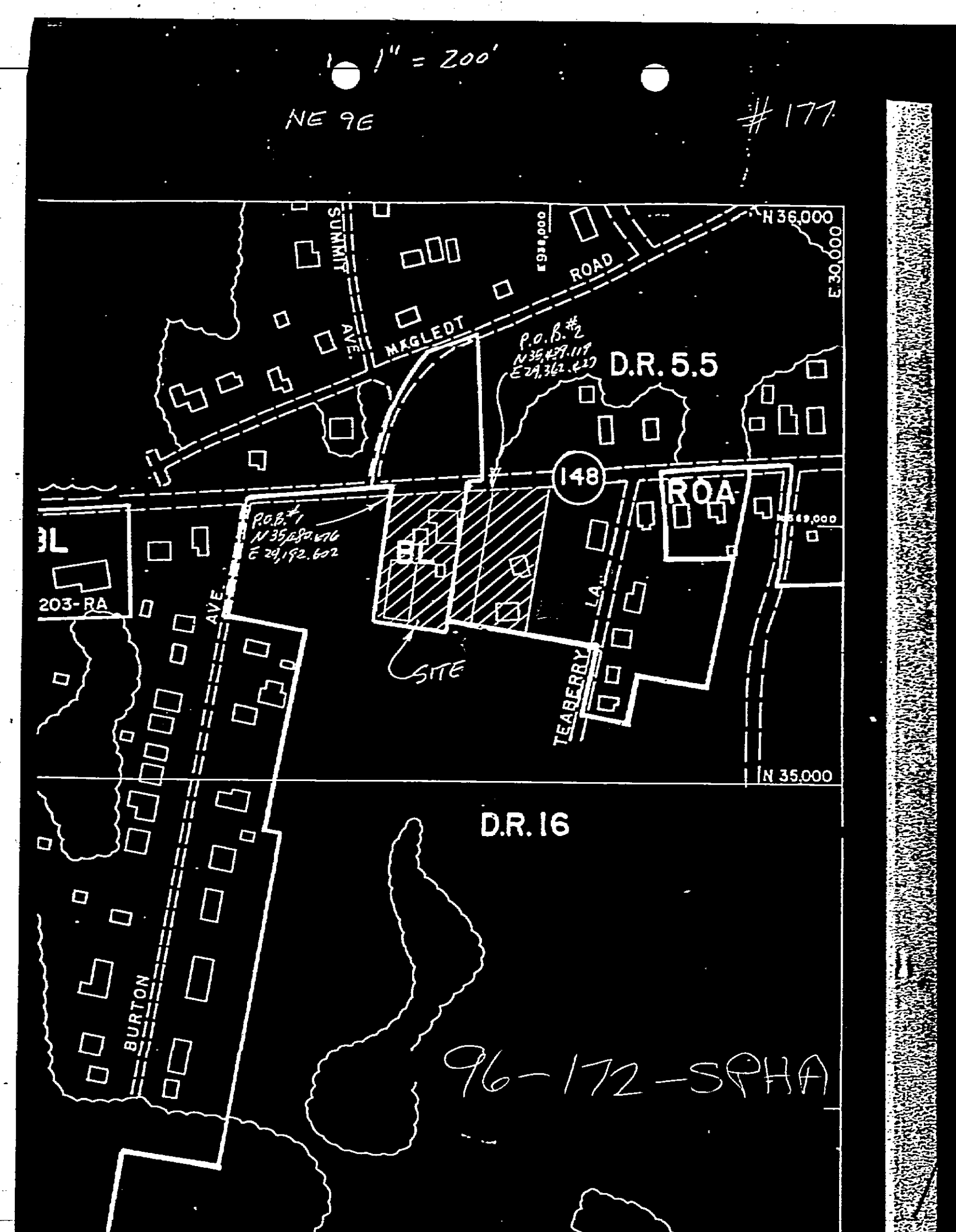
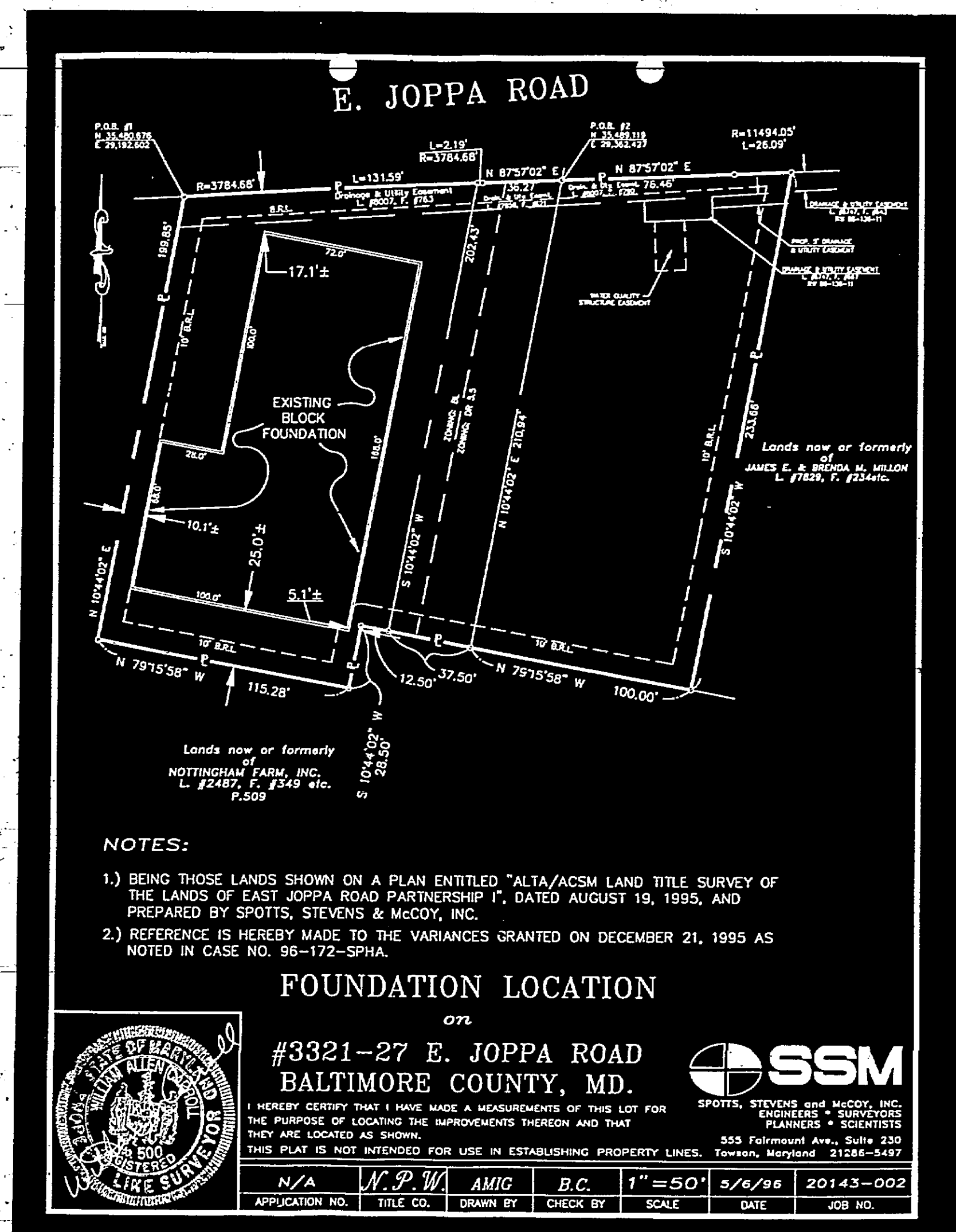
PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Nick Jacobson	96-172-SPHAA
	18000 E. JOPPA RD, W 2023
	18000 E. JOPPA RD, W 2023



SURVEYED BY: M. AMG and M. O'NEILL
DATE: 18 AUGUST 1995
DWG. No. B087DWG

GRIM WOLFE
MADE CHECK
1"=30'
SCALE



Senior Campus Living TEL: (410) 737-8862 Nov 20 1995 9:53 No. 002 P.01

SENIOR CAMPUS LIVING

November 20, 1995

Mr. Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
400 Washington Avenue
Towson, MD 21204

Via Fax No. 887 - 3468

Re: Heritage Properties Development
3321-27 E. Joppa Road
Baltimore, MD 21234

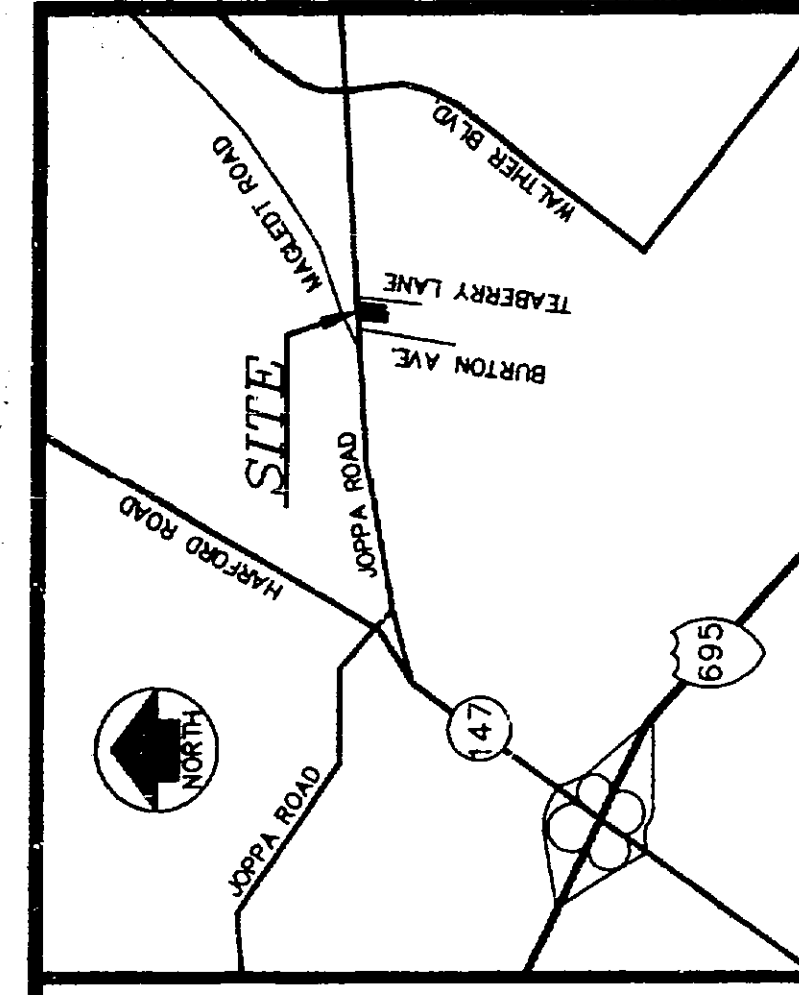
Dear Mr. Schmidt:

Senior Campus Living is the developer of the Oak Crest Village Retirement Community, which occupies an 81 acre tract adjacent to the west and south property lines of the subject property. We are writing to inform you that we support this proposed project to construct and operate a single story, 14,000 square foot adult and child day care facility. We see this project as a positive improvement to the community, both in its use and its appearance, based on our review of a concept plan and elevation.

We also support and recommend approval of the developer's request to provide parking in a residential zone, and we support approval of their requests for variances to RTA buffer and setback requirements, and a variance to allow a minimal encroachment into the side yard setback. We will also grant Heritage the right to complete some grading on our property in accordance with a reversible grading easement. These approvals are based on our review of a "Plan To Accompany Petition For Variance and Special Hearing of the lands of East Joppa Road Partnership I, #3321-27 Joppa Road", dated 10/24/95, prepared by Spots, Stevens and McCoy, Inc. and on our review of a "first blush grading sketch" provided to us by the developer.

Ret No 4

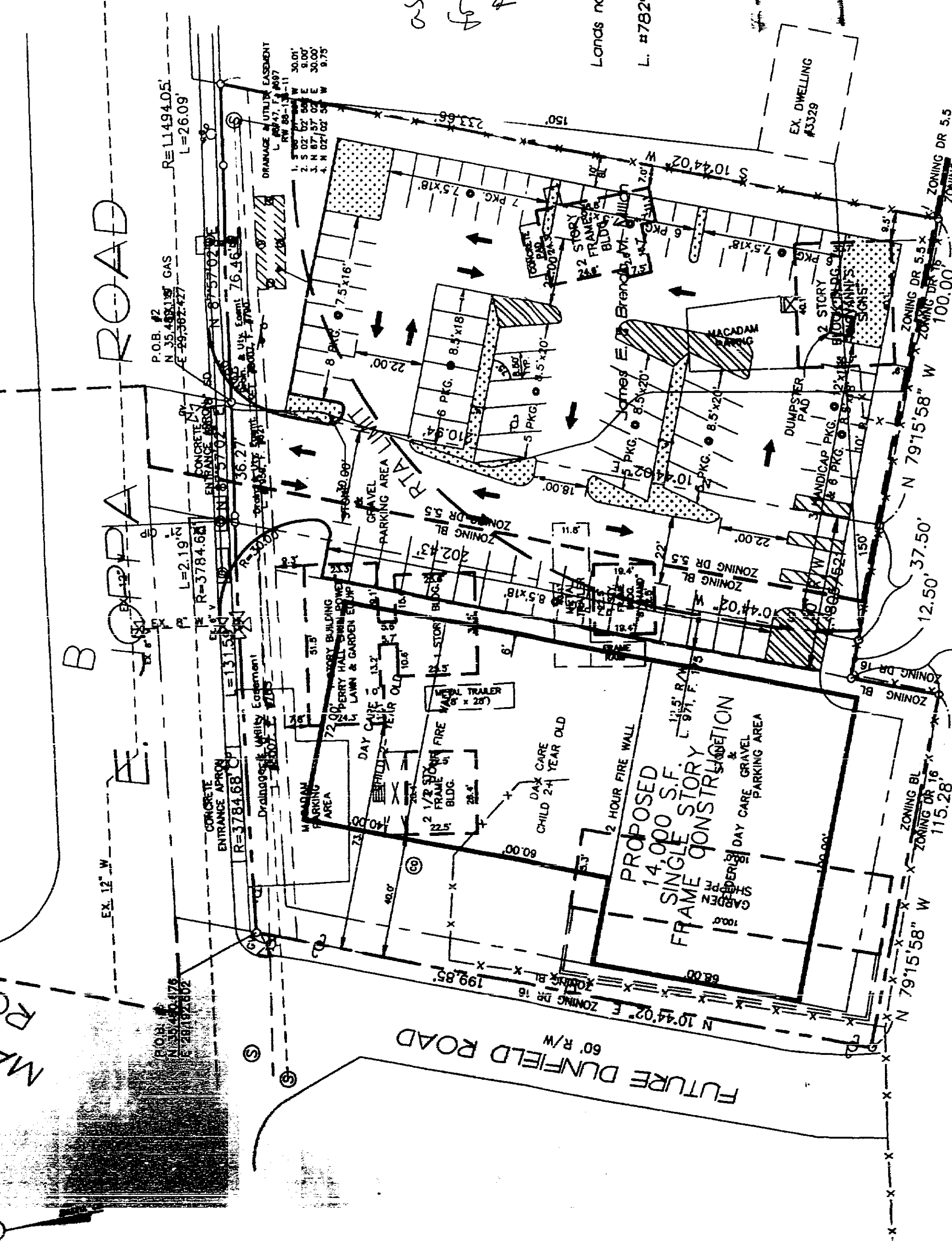
703 MAIDEN CREEK LANE BALTIMORE, MARYLAND 21228 (410) 242-2880 FAX (410) 737-8862



VICINITY MAP
1" = 2000'

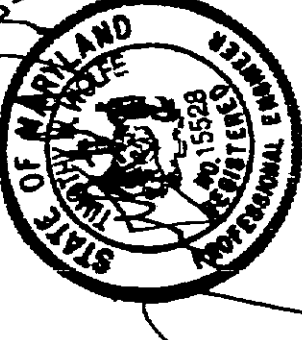
⑦ Entrance to be shifted to the location approx. shown on Exhibits Ex. 2

⑧ Plat shows the approx. limit of paving, striping & raises as appropriate for future proposed or future uses.



- LEGEND
- ☆ LIGHT POLE
 - TELEPHONE MANHOLE
 - GAS VALVE
 - WATER VALVE
 - SANITARY SEWER MANHOLE
 - STORM DRAIN INLET
 - SEWER CLEAN OUT
 - FIRE HYDRANT
 - OVERHEAD UTILITY POLE

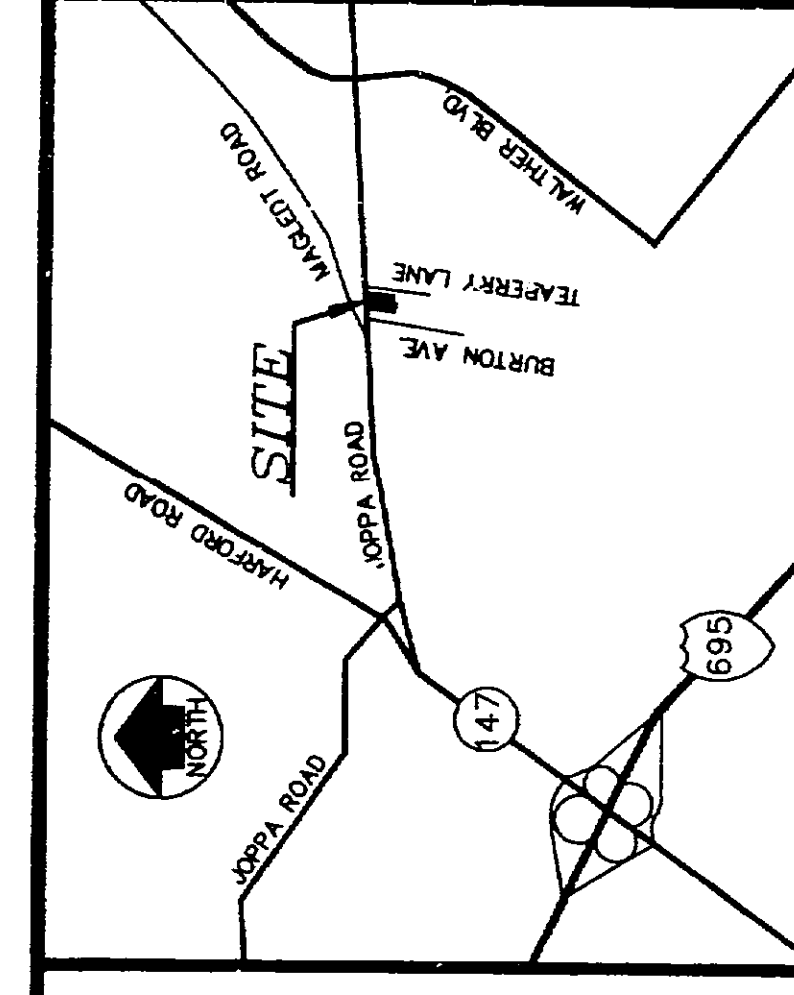
LOIDS NOW OF FORMERLY
NOTTINGHAM FARM, INC.
L. #2487, F. #34961C.



PLAT TO ACCOMPANY PETITION FOR
VARIANCE AND SPECIAL HEARING
of the lands of
EAST JOPPA ROAD PARTNERSHIP I
#3321-27 JOPPA ROAD
BALTIMORE COUNTY, MD.
CONTRACTOR PURCHASER
HERITAGE PROPERTIES, INC.

SSM	
DATE	20143 - 002
SCALE	1" = 30'
DRAWING NUMBER	022-95
REV.	

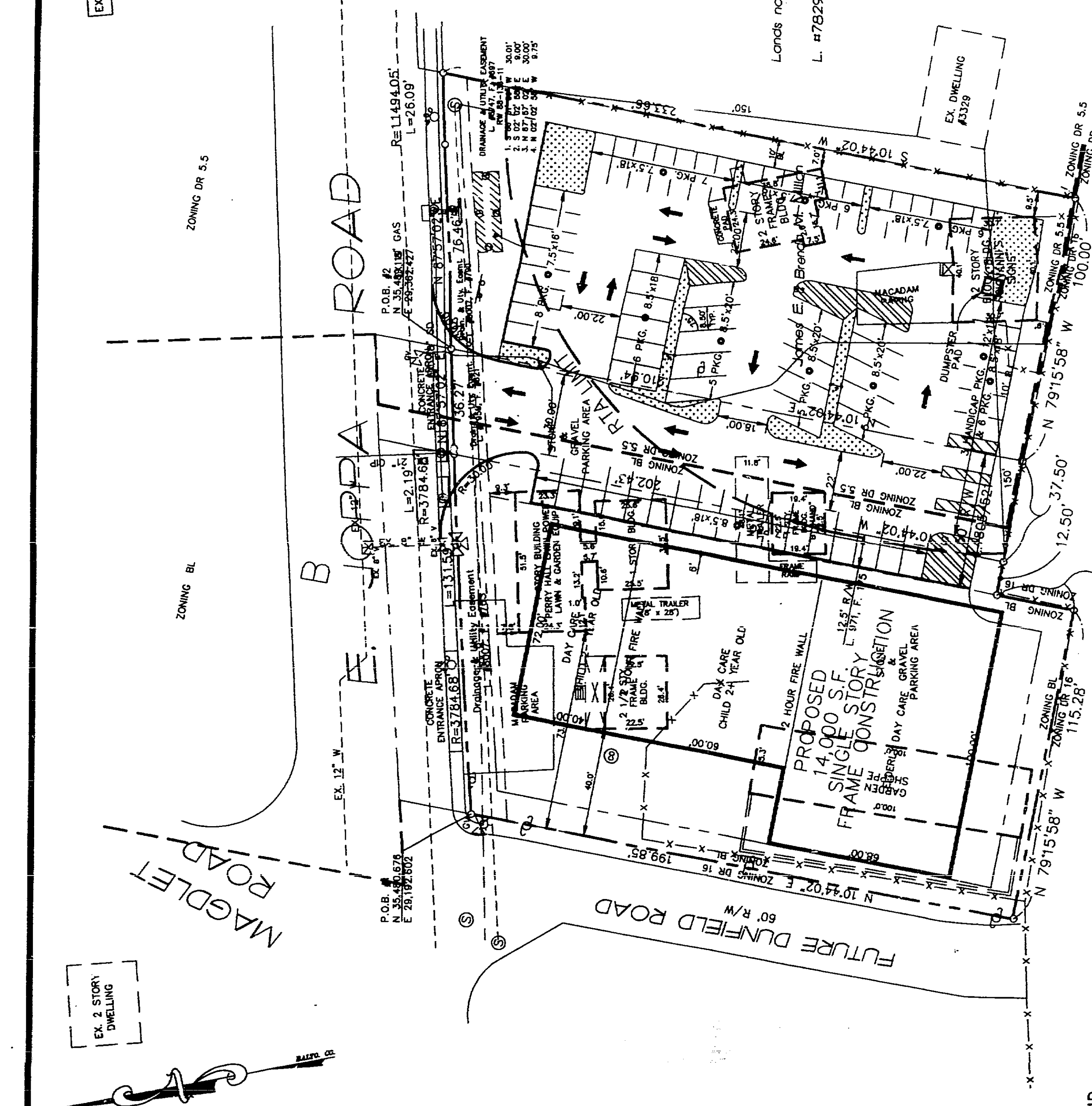
SURVEYED BY: M. AMG, P.E.
DATE: 18 AUGUST 1995
DWG. NO. B007DWG



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PLAT TO ACCOMPANY PETITION FOR
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